Ohio Rail Development Commission

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September 2, 2010

Dear Commissioners:

Enclosed please find relevant information to the **Thursday, September 9, 2010** commission meeting. Minutes of the July 15, 2010 commission meeting are enclosed for your review.

This meeting will be held at the **Ohio Department of Transportation's Headquarters, 1980 West Broad Street, Columbus, Ohio, Room GA, Lower Level**. Standing Committees of the Commission will meet before the Commission Meeting. The Long-Term Strategy/Economic Development Committee Meeting will be held in Room 3D at 9:30 a.m. The Human Resources Committee Meeting will be held in Room 3A and the Contract and Property Advisory Committee Meeting will be held in Room 3B at 10:00 a.m. The ORDC Commission meeting will begin promptly at 11:00 a.m.

If you haven't already done so, please contact Suzy Pettet to confirm your attendance. You may reach her at 614/728-9497 (telephone) or by e-mail at suzanne.pettet@dot.state.oh.us

We look forward to seeing you.

Sincerely,

James G. Bradley
Chairman

Enclosures

THE OHIO RAIL DEVELOPMENT COMMISSION
MEETING AGENDA
Thursday, September 9, 2010, 11:00 a.m.
Ohio Department of Transportation Headquarters
1980 West Broad Street, Room GA, Lower Level, Columbus, Ohio

CALL TO ORDER: James G. Bradley, Chairman
- Welcome
- Roll Call
- Approval of Minutes from July Meeting

EXECUTIVE DIRECTOR REPORT: Matt Dietrich

FINANCE REPORT: Megan McClory

ITEMS FOR APPROVAL
- Resolution 10-09: Approval of Application to the Mid-Ohio Regional Planning Commission for the Front Street Double-Stack Clearance Project
- Resolution 10-10: CSX National Gateway-FHWA Administrative Costs
- Resolution 10-11: City of Jackson Richland Tunnel Project, Third Amendment

APPROVED PROJECT BRIEFINGS
- International Technical Coatings (ITC) Rail Spur

JOBS AND CARLOADS REPORT
- Resolution 10-12: Modification of City of Lima Job and Carload Commitments

REPORTS OF COMMITTEES
- Panhandle Long Term Lease
- Contract & Property Advisory
- Human Resources
- Long-Term Strategy/Economic Development

OLD BUSINESS

NEW BUSINESS
- ORDC Annual Report

PUBLIC COMMENT

ADJOURN

MINUTES OF THE OHIO RAIL DEVELOPMENT COMMISSION
REGULAR BI-MONTHLY MEETING
July 15, 2010

CALL TO ORDER

The meeting of the Ohio Rail Development Commission was called to order by Chairman James Bradley at 11:06 a.m. on Thursday, July 15, 2010.

MEMBERS PRESENT

Members present included: Chairman James Bradley, Commissioners Rob Greenlese, Bill Lozier, Jolene Molitoris, Larry Sowers, Barbara Hammontree-Bennett, William Murdock, Herk Wolfe, and Kim Wheeler for Senator Steve Buehrer. Commissioner Tom McOwen was unable to attend. Commissioner Solomon Jackson came in after the roll was taken. There were eight voting members present, therefore a quorum was obtained.

APPROVAL OF THE MINUTES OF THE MAY MEETING

Chairman Bradley asked for a motion to approve the minutes of the May 13, 2010 meeting. Commissioner Molitoris moved to approve the minutes and Commissioner Lozier seconded the motion. Roll call was taken. The minutes were approved as presented with nine votes in the affirmative.

EXECUTIVE DIRECTOR'S REPORT

Director Dietrich presented the Executive Director's Report on page 9 of the meeting packet. Director Dietrich gave an update on the CSX National Gateway TIGER Grant. The State of Ohio is the lead state and ORDC is the lead agency. This is a double stack project from North Baltimore, Ohio to the Port of Wilmington in North Carolina. The coalition of states was awarded $98 million for the first phase which is from North Baltimore, Ohio to an intermodal facility in Chambersburg, PA. It encompasses the four states of Ohio, West Virginia, Maryland, and Pennsylvania. Originally, the project was assigned to FRA. After a great deal of discussion, the project was reassigned to FHWA-EFLD. This is the same FHWA division that successfully managed the NS Heartland Corridor. In June, Tom Burns and Director Dietrich attended the Kick-off meeting in Sterling, VA. The draft environmental document has been submitted to FHWA, with a goal of receiving environmental clearance by November. ORDC will be signing a revised Preliminary Terms and Conditions Sheet with FHWA as the lead agency. Director Dietrich said we will be signing a MOA with West Virginia, Pennsylvania, and Maryland which will delineate responsibilities for the completion of the project. We are working with both ODOT and ORDC legal counsel on the MOA.

Director Dietrich reported that the Preliminary National Rail Plan comments were submitted. He pointed out to Commissioner Wolfe that his concerns about all the potential rail assets that are now either abandoned or bypassed were included in these comments. Director Dietrich also said they worked closely with Leonard Evans to make sure that ORDC's comments were complimentary to ODOT's.

On June 28, 2010 the FRA published a Final Rule for the implementation of section 202 of the Rail Safety Improvement Act of 2008 (RSIA), that requires highway-rail grade crossing action plans to be developed by the 10 states that ranked the highest in number of crashes at highway-rail grade crossings. Director Dietrich said Ohio had concerns with the methodology. There was no normalization to the number of grade crossings or to the rail or highway traffic. We are a very heavily populated state. We have a great number of grade crossings. We have very high

traffic volumes both on highway and rail. It is just logical that we would be in the top 10. When you normalize the numbers, they look much different. Director Dietrich said we are looking at opportunities, both at the federal and state level, that provide funding for grade crossing highway safety, as well as allowing the state more flexibility for consolidation of road closures. Director Dietrich said the safest crossing is a crossing that no longer exists. If the crossing can't be closed, it should be improved.

On June 9th, ORDC participated in an effort led by ODOT and including almost 50 interested parties representing railroads, agribusiness, manufacturers, logistics, ports and public agencies to discuss steps the state could take to promote international trade by improving supply chains for international container movements. One of the discussions has been the possibility of overweight permits. We have been working closely with the Ohio Railroad Association to make sure we clearly identify their concerns and we are continuing to work with ODOT. Director Dietrich complimented ODOT's Chief of Staff, Steve Campbell, for trying to bring all the parties together to get all the input we can as a state.

On June 1st, the NOFA was issued for the USDOT National Infrastructure Investments under the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for 2010. On June 23rd, ORDC notified all of the railroads in Ohio of the program. To date, Director Dietrich has heard from one company and one railroad.

Director Dietrich said that the 3C project team has been working with local communities. He also said that the ORDC staff has been working with the FRA to release funding.

Director Dietrich reported that the PEIS work for the Ohio Hub has begun. On June 15th, ODOT held its kick-off meeting with AECOM. The early work will result in the route determinations for 110-mph service. The corridors being examined are Detroit-Toledo-Cleveland, Cleveland-Pittsburgh, Toledo-Columbus and Cincinnati-Columbus-Cleveland. The early work will consist of data collection and public meetings.

Director Dietrich said that in addition to on-going work with ODOT on passenger rail development and PUCO on grade crossing safety issues, ORDC staff continues to coordinate our activities with other state agencies. Lou Jannazo is part of the Ohio Department of Development's Job Ready Site Program review team.

Director Dietrich said that as discussed at the spring retreat, Stu Nicholson, Public Information Officer, has implemented very successfully, ORDC press releases to include local and company input. Stu said we are contacting all interested parties to see if they want to comment. We did a joint news release with NS and OKI on the "Heartland Corridor Extension". The release received wide media coverage including the Wall Street Journal, several newspapers, and several on-line media outlets. We are receiving national, regional and local coverage. Director Dietrich said this change has been well received and these partnerships need to be reflected.

Director Dietrich introduced Paul Russell, Assistant Section Chief at the Ohio Attorney General's Office Transportation section. Paul is joining our meeting in Alan Klodell's absence. He also introduced Dominic Jannazo, who is attending this meeting in order to earn his Boy Scout Citizenship in the Community badge.

Chairman Bradley suggested that after we rationalize the numbers published in the FRA report, we contact the state who is doing the best and find out what they are doing. We can see what we can learn from them. Director Dietrich said that Susan Kirkland has been working with ODOT Traffic to see what improvements can be made. She is also meeting with NS tomorrow. Director Dietrich said we are also interested in partnering with ODOT Legislative office. Chairman Bradley would like for Susan Kirkland to tell us at a later meeting what she has learned, what areas we need to improve upon, and what actions we need to take.

Commissioner Molitoris indicated that ODOT's district offices can be helpful with the National Gateway initiative. She reported that ODOT undertook $2 billion in construction programming last year, in part by taking a "risky" approach to stimulus funds and putting together the biggest multimodal package in the country. The Transportation Review Advisory Council has a multimodal theme and is accepting applications through tomorrow. She then introduced Kelly Angel, project manager for the 3C, and distributed articles that have been in the press recently regarding passenger and freight rail.

FINANCE REPORT

Megan McClory, ORDC's Secretary-Treasurer, presented the Finance Report to the Commissioners, which can be found on page 27 of the commission packet. Ms. McClory said that we concluded FY2010 on June 30th. We awarded 16 GRF grants totaling over $1.4 million. This total includes $50,000 in operating savings that were able to be transferred into the grant program. The total grant budget for FY2010 is $1.39 million for GRF and the total loan budget was $1.2 million. Ms. McClory said she will be attending a meeting this afternoon to begin working on the 2012-2013 budget.

Ms. McClory said the fiscal staff has been working a lot on ARRA projects. Susan Arduini is our Prevailing Wage Coordinator and she is doing a great job making sure everyone is paying the correct wages. The Toledo-Lucas County Port spur project is almost complete. Construction has started on the Panhandle Rail Line Rehabilitation project and material purchases have been authorized for the Toledo Airline Yard Terminal and the Heartland Corridor Columbus-to-Cincinnati Extension. The restoration on the Camp Chase Bridge over West Broad Street will begin on Monday.

Ms. McClory said that we will have 2 interns beginning on Monday.

RESOLUTION 10-07 – AMERICAN RAIL CENTER HARDIN RAIL LOGISTICS CENTER LEAD TACK REHABILITTION PROJECT LOAN

Lou Jannazo presented the briefing found on page 33 of the commission packet. The American Rail Center, headquartered in Walbridge, Ohio, is requesting a loan from ORDC of up to $500,000 for the repair of approximately 7,900 ft. of the CSX Alger Industrial lead track in Kenton needed to serve American Rail Center's new Hardin Rail Logistics Center where large components of wind turbines can be transported into Ohio via rail. Jim Jacobs and Matt Jacobs, with the American Rail Center, were available to answer questions.

Commissioner Sowers asked whether the language had been incorporated regarding the BWC and insurance responsibility. Mr. Jannazo said that the language has been incorporated into our standard grant agreement.

Commissioner Sowers asked who was handling the jobs report since Beverly Lee has retired. Director Dietrich said that Tom Burns has now assumed all of Beverly Lee's responsibilities. In the interim, Suzy Pettet has been handling the administrative work on the report. Director Dietrich said there has been no gap in anybody handling the report. Director Dietrich also said that an annual report is given to the Commissioners.

Commissioner Murdock stated that he is pleased with the Hardin Rail Logistics Center project from a development perspective. Wind is an emerging technology and part of the state's energy strategy. Commissioner Greenlese made a motion to approve resolution 10-07. Commissioner Bennett seconded the motion. Roll call was taken with nine votes in the affirmative.

RESOLUTION 10-08 – MAUMEE & WESTERN RAILROAD REHABILITATION PROJECT GRANT

Lou Jannazo presented the briefing found on page 39 of the commission packet. Mr. Jannazo said that the Maumee & Western Railroad is requesting up to $227,500 in order to rebuild its railroad between MP 38 and MP 39. The project would replace worn rail with heavier relay rail. Mr. Pete Bell, General Manager, was available to answer any questions.

Commissioner Sowers made a motion to approve this resolution. Commissioner Murdock seconded the motion. Roll call was taken with nine votes in the affirmative.

REPORTS OF COMMITTEES

Human Resources – Chairman Jackson

Commissioner Jackson said that the committee discussed three issues. They want to recalibrate and bring back into focus the project manager position; they want to make sure all lines of communication are open and flowing freely; and they need to define what the focus is of the committee going forward. He also stated that the committee does not want to lose sight of diversity and that when employees leave, he wants to be sure they are recognized for their service.

Chairman Bradley asked what the status was of the project manager position. Director Dietrich said that we have been working with ODOT personnel and executive staff to find an open slot for the position. Commissioner Molitoris said that she will work with us to try to resolve this issue as successfully as possible. She stated that identifying an open position is not as easy as it sounds and that this issue was just raised with her yesterday. Commissioner Molitoris committed to pushing forward with discussions and pointed out that ODOT helped ORDC save money on rent with the relocation to ODOT's Central Office building.

Economic Development and Strategic Planning Committee – Commissioner Bennett

Commissioner Bennett said that the committee is moving forward on Phase 2 of the State Rail Plan. Phase 2 will focus on priorities, visioning, and cost benefits analysis for projects that might come before the commission for funding. The committee met on June 30 with Andrea Stevenson of ODOT giving an overview of the Futures Plan. The committee discussed the consultant's scope of service. The consultant's contract is through ODOT. Commissioner Bennett said that they are hoping to have a commission work session at the October Retreat. Commissioner Bennett said how much she appreciates Leonard Evans' assistance in working on the State Rail Plan.

Commissioner Molitoris said that we need to assure what the future looks like. She suggested having a Futures Plan Presentation to the commission to share a working session sometime in November or January.

OLD BUSINESS
There was no old business to come before the Commission.

NEW BUSINESS
The Panhandle Long-Term Lease Committee will meet at 2:00 today.

PUBLIC COMMENT
Mr. Jim Jacobs with American Rail Center thanked the commission for approving the resolution. He and his son, Matt, are available if anyone has any questions. He also said that as an Ohioan, he would like to thank ORDC for all the railroad crossing markings. He also said that David Dysard in District 2 and Leonard Brown in District 1 have been very helpful to him.

Ms. Sally Weithman, from Crestline, Ohio, said that she would officially like to request that Crestline be considered as a rail stop for the north central corridor from Columbus to Cleveland. She has information with her about who they are; what they are; and what they have to offer.

ADJOURNMENT
Chairman Bradley called the meeting of the Ohio Rail Development Commission adjourned at 12:20 p.m.

TO: ORDC Commissioners

FROM: Matthew Dietrich

SUBJECT: September 2010 Executive Director's Report

This document reflects the accomplishments and highlights of the Ohio Rail Development Commission since the July Commission Meeting.

1. CSX National Gateway TIGER Grant Update: Work continues on a heightened pace as all agreements must be in place by the end of the month. At the current time, there are several items:
    a. A Memorandum of Agreement between the Federal Highway Administration, Eastern Federal Lands Division and the State in the Coalition delineating the roles in the administration of the project.
    b. A Memorandum of Agreement between the Federal Highway Administration, Eastern Federal Lands Division and CSX on the administration of the project.
    c. Preliminary and Conditional Term Sheet signed by the ORDC identifying all of the funding sources for the project.
    d. A grant agreement between CSX and the ORDC delineating the administrative fees and ARRA reporting requirements of the project.
    e. The Grant agreement between the ORDC and the US Department of Transportation for the $98 million award.

2. International Shipping Containers Update: As reported, ODOT filed seeking approval from the Legislative Joint Committee on Agency Rule Review for an overweight permit process for international shipping containers. The Elements of the permit are as follows:
    -Require a Sealed, International Shipping Container for Export Only
    -Up to 94,000 Pounds and must meet trailer configuration requirements
    -Single Route permit from Ohio Origins to Ohio Intermodal facilities
    -ODOT Director will approve Ohio Intermodal facilities
    -45 and 90 Day permit durations
    -Priced consistent with existing general permits - $500 for a 90-day permit
    -Required usage record keeping and reporting

    ODOT will conduct a Public Hearing on ODOT Special Oversize and Overweight Permits for Sealed Containerized Loads at ODOT Central office the afternoon of September 13th. This timeline will make the rule effective in October.

3. Ohio Rail Plan: Staff continues to assist Commissioner Bennett and the subcommittee on Phase 2 of the State Rail Plan with Wilbur Smith and Associates on the vision and quantitative piece of the work.

4. City of Jackson-owned Rail Line: As you may know, the City of Jackson has filed suit with its operator, US Rail claiming US Rail has not complied with/violated the operating agreement. Given the level of previous and continued investment in the line by ORDC, approximately $6.7 million since 1986, ORDC has engaged the Jackson Line rail shippers to determine their concerns with the dispute between the railroad and the city and what if any impacts it is having on business. As a result of those discussions, ORDC hosted a meeting on August 27, 2010 in Jackson with the shippers. The

Railroad and City were both in attendance. The purpose of the meeting was not to discuss the lawsuit but rather provide a forum for the shippers to convey their concerns with the possible outcomes of the lawsuit: 1.) If the city wins, what role, if any, do the shippers want to play in selecting/vetting a new operator and 2.) If US Rail wins and the current relationship continues, what role do the shippers envision to ensure continued service. The shippers strongly expressed their desire to have input on any potential new operator and the City welcomed their input. Shippers were very reluctant to get involved in dealing with the continuing relationship between the City and US Rail. The shippers stated they have no desire to be in the rail business and they just want well maintained track and good service. As we have heard in other forums, long term stability of the rail line operations is critical for growing business. On a positive note, US Rail continues to serve the line and the shippers stated that they are generally satisfied with the rail service. ORDC staff will continue to work with the City and US Rail as this situation evolves.

5. 3C Project: With ODOT, staff continued to focus its efforts on developing the statement of work for Federal Railroad Administration concurrence. Attached please find the draft Statement of Work submitted to the FRA. Since that time Ohio has been working on revisions from the FRA and we anticipate finalization of the SOW by the end of the month. Once finalized, staff will provide the Commission with the final version.

6. Multi-Agency Coordination:
    a. The Public Utilities Commission of Ohio, as the lead state agency on safety issues to the Federal Railroad Administration, has volunteered to lead Ohio's response to section 202 of the Rail Safety Improvement Act of 2008 (RSIA), which requires highway-rail grade crossing action plans to be developed for the 10 states that ranked the highest in number of crashes at highway-rail grade crossings. We had our initial meeting with PUCO, ODOT and ORDC and intend to include additional state partners to develop the plan.
    b. Thanks to Commissioner Murdock, ODOD provided a briefing to staff regarding ODOD's Ohio Hubs of Innovation and Opportunity. (Attached)
    c. ORDC staff has taken up Director Molitoris on her offer to assist on the National Gateway. Last week Megan submitted a request for ODOT assistance to administer the highway bridge projects as they relate to the National Gateway.

7. Safety: Attached is a copy of the Annual HSIP report submitted to FHWA for fiscal year 2010.

8. Public Records Policy: Suzy Pettet and Alan Klodell have been working to ensure that ORDC's public records policy is up to date. A copy of the updated policy is attached for your reference.

9. Upcoming Meetings of Interest:
   Ohio Conference on Freight: September 14-15 – Toledo, Ohio
   Ohio Transportation Engineering Conference: October 19-20 – Columbus, Ohio

10. Finally, I wish to recognize Leonard Evans who has been appointed the Chief Engineer for the Federal Rail road Administration. Leonard has been a great asset to the ORDC and will be missed. We wish him all the best.

OHIO DEPARTMENT OF TRANSPORTATION
CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223
TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

Thank you for your continued interest in Ohio's 3C "Quick Start" Passenger Rail project and the step-by-step transparent process being followed to bring this job-generating passenger service to our state. Enclosed you will find the latest product of the cooperative efforts of the Ohio Department of Transportation (ODOT), the Ohio Rail Development Commission (ORDC) and the Federal Railroad Administration.

The Statement of Work - currently in a draft format (as provided) - represents the next major step in the process of investing the first share of the historic $400 million in federal stimulus funds awarded to Ohio. When finalized, this Statement of Work will result in the signing of a Cooperative Agreement between Ohio and FRA, allowing Ohio to expend federal funds on the final environmental study (including federally-required public involvement), preliminary engineering, updated modeling to demonstrate how freight and passenger trains can work safely and efficiently together, assistance in preparing for negotiations with the host freight railroads, and assistance in the competitive selection process for determining an operator and specifications for rail cars. In the future, Ohio will seek an additional cooperative agreement to complete the remaining engineering and detailed design work.

As part of Ohio's commitment to a transparent and accountable process for investing these stimulus funds, this Statement of Work defines the overarching tasks and work to be accomplished by ODOT and ORDC (with assistance from the competitively-selected consultant team led by Parsons Brinkerhoff and CH2MHill). Highlights of the Statement of Work include:

- **Development of a Business Plan and Economic Impact Analysis** - included in this work will be the identification of short, medium and long-term corridor development strategies to increase ridership and revenue. The analysis will also identify the potential economic development benefits of the passenger rail service.

- **Increasing Authorized "Speed Limits"** - Ohio has already identified 34 locations along the corridor where the authorized train speeds, which are based on freight-only traffic, could be increased to safely accommodate passenger trains, thus reducing the total corridor run time.

- **Review of Safety Improvements at Highway/Railroad Crossings** - a review of the 268 at-grade crossings along the corridor will allow the state to prioritize upgrades needed to ensure safety for both car/truck traffic (motoring public) and for the rail line. Safer crossings also allow for higher train speeds.

- **Resolution of Cincinnati Station Location** - through an environmental assessment process that combines an additional engineering analysis, site analysis, and fully engaged community and stakeholder involvement, Ohio will resolve and finalize decisions regarding the location of the Cincinnati station.

The cooperation between Ohio, its freight rail partners, and the federal government has routinely allowed this project to meet and exceed expectations (don't forget that some in Washington doubted Ohio could produce a strong application worthy of funding - ours was one of the strongest). The Statement of Work offers a 15-month window to complete this phase of study, engineering and design. With our partners at our side, Ohio expects to accomplish these efforts ahead of that timetable.

Again, thank you for your interest in Ohio's transformational effort to restore daily passenger service between Ohio's major cities and bring to our state a proven generator of economic development and jobs.

PROPOSED STATEMENT OF WORK

3C "Quick Start" Project NEPA and Preliminary Engineering

BACKGROUND

On January 28, 2010, the U.S. Department of Transportation and the Federal Railroad Administration (FRA) selected the State of Ohio's application to develop and implement passenger rail service along the State's 3C corridor with new federal funding provided by the American Recovery and Reinvestment Act. Connecting Cleveland, Columbus, Springfield, Dayton, and Cincinnati with daily service for the first time since 1971, Ohio's 3C "Quick Start" Service is expected to offer 79-mile-per-hour intercity passenger service.

In the first series of tasks, Ohio's Statement of Work focuses on continuing project development including remaining planning, National Environmental Policy Act (NEPA) document preparation and finalization, and preliminary engineering. It does not include requests for capital improvements such as track upgrades, capacity additions, or equipment. Ohio anticipates that this Statement of Work will result in a cooperative agreement with the FRA.

GENERAL OBJECTIVE

The 3C corridor is Ohio's best opportunity to connect transportation investment with jobs and economic development opportunities. The general objective is to advance the *3C "Quick Start" Project NEPA and Preliminary Engineering* - as required by federal law - to allow Ohio to make informed decisions regarding the project. The tasks under this non-capital phase of work will focus on two primary areas: 1) advanced service planning and 2) project-level or second tier NEPA studies and documentation and the preliminary engineering relevant to the capital improvements needed to initiate the 3C "Quick Start" service.

The work tasks include advancing 3C "Quick Start" business planning, cost and revenue forecasts, railroad capacity analysis; train operating plan, schedules and run times; engineering/design of railroad capital improvements and highway/rail crossing safety improvements; development of system safety program plans; determination of specifications for equipment procurement; determination of an operator, operating contracts and cost estimates; assistance with railroad negotiations and drafting the railroad Agreements in Principal and railroad Master Agreements.

The Tier 1 Service NEPA document, *3C Quick Start Passenger Rail Environmental Assessment,* was submitted to FRA as part of the successful October 2009 application for stimulus funding. Under this work, the Tier 2 project-level NEPA studies and documents for the 3C Quick Start will be completed. The NEPA related work tasks will complete the environmental process and will result in a series of second tier, NEPA and project development documents through preliminary engineering. As referenced above, it is anticipated that the final engineering, detailed design will be completed under a separate cooperative agreement or Letter of Intent. Project-level NEPA documents will be completed for all of the project components including the railroad capacity improvements, track, crossing and signal improvements, passenger stations, and train maintenance and layover facilities.

The Tier 2, project-level NEPA studies will consider some program and planning issues but will focus predominately on site-specific environmental reviews at a level appropriate to make decisions related to the various capital projects that comprise the 3C corridor program. The NEPA studies shall comply with ODOT's processes and procedures and meet all requirements of the Federal Railroad Administration (FRA).

The project development process will predominately follow ODOT's Project Development Process (PDP) for Major Projects - recognizing that some deviation may be required as ODOT's process has been designed for successful highway project delivery. As part of the Project Development Process, an extensive Public Involvement effort will be executed. The Public Involvement effort will create and nourish two-way communication, and provide a forum for all persons impacted by the project to provide input, as required by law. Completion of the tasks under this first Statement of Work will ultimately lead to the final engineering and detailed design of capital improvements needed for the 3C "Quick Start" Service, allowing Ohio to make the most informed determination about the investments needed for the project.

DESCRIPTION OF WORK

The description of work is presented as five separate work tasks with multiple activities and deliverables described below and identified on the project schedule. Tasks I, II, and III will advance work needed to finalize the service planning effort; Task IV will simultaneously advance the project development process through Tier 2 NEPA documentation activities as well as preliminary engineering; Task #5 involves the statewide work activities and the project administration needed to complete the project requirements.

Project Tasks	
Task I	**Business Plan and Economic Impact Analysis**
Task II	**Equipment Specification**
Task III	**Operating Plan and Service Parameters, Operator Selection, Railroad Capacity Analysis, Railroad Negotiations and Railroad Agreements**
Task IV	**Environmental Assessment and Preliminary Engineering**
Task V	**Statewide Tasks and Project Administration**

Task I: Business Plan and Economic Impact Analysis

This task will advance work in two areas: A) 3C "Quick Start" business planning activities, and B) 3C "Quick Start" economic impact analysis activities.

Linkage: The business plan and economic impact analysis activities are linked to, and rely on inputs from other tasks outlined below, including equipment procurement, fleet management, train operations planning, operator selection, railroad capacity analysis, rail corridor investment planning, railroad negotiations and development of railroad Agreements in Principal and railroad Master Agreements.

A. Business Plan

The business planning activities will:

- Identify alternative short, medium and long-term corridor development strategies and service improvement scenarios needed to increase ridership and revenue and reduce operating costs;
- Forecast ridership and revenue for service improvement scenarios;
- Advance the appropriate sensitivity analysis to adequately assess risk;
- Explore opportunities to reduce risks through potential public-private partnerships;

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- Explore opportunities and identify station capital and operating cost sharing arrangements with the local governments and transit authorities;
- Examine sources of revenue generation other than farebox revenues;
- Develop effective operating strategies that will reduce operating costs;
- Incorporate the decisions related to the procurement, purchase and maintenance of equipment and selection of an operator;
- Advance the rail corridor investment plan;
- Advance Pro-forma financial analysis; and
- Inform the grantee in the railroad negotiation process.

Deliverable: *3C "Quick Start" Draft and Final Business Plan Report*

B. Economic Impact Analysis

The economic analysis will:

- Provide an updated analysis of the benefits of constructing and operating the 3C "Quick Start" service;
- Identify the benefits associated with the 3C "Quick Start" including the short-term, construction related economic analysis;
- Identify the long term benefits of operating the service;
- Forecast population growth, job creation, household transportation cost savings, visitor spending and public revenue contributions, municipal fiscal impacts, potential property development impacts and economic benefits by service area;
- Summarize the previously identified benefits associated with the long-term development of an expanded regional rail network; and
- Identify the potential benefits for the freight railroads.

Activity: *3C "Quick Start" Economic Impact Analysis*

Task II: Equipment Specification

The activities under this task will assist ODOT and ORDC with its ongoing evaluation of options for procuring equipment. The primary objective is to develop an equipment specification for the 3C "Quick Start" service. The work activities include the identification of passenger rail equipment options that are FRA and Buy-America compliant and operate as cost-effectively as possible, and result in a competitive procurement.

Linkage: The equipment performance specification is linked to the train performance calculator which is part of the railroad capacity analysis; the procurement of equipment and the management of the fleet are linked to the Business Plan; the fleet management strategy is linked to the preliminary engineering for the equipment maintenance facility; and the equipment is linked to the design of railroad infrastructure.

A. Equipment Performance Specification

The grantee will develop a preliminary equipment performance specification.

Deliverable: *3C "Quick Start" Equipment Performance Specification Report*

B. Equipment Options and Recommendations, Maintenance Requirements and Fleet Management

The grantee will:

- Review and analyze equipment options;
- Summarize the technical and mechanical issues and economic development and stimulus opportunities associated with procuring and manufacturing the various equipment options;
- Identify the costs and the requirements and delineate the facilities needed to maintain, inspect and repair the equipment; and
- Determine the fleet management requirements.

Activity: *3C "Quick Start" Equipment Options, Fleet Recommendations* and *Fleet Management Strategy*

C. Equipment Procurement Strategy

The grantee will analyze procurement options and recommend a strategy for equipment procurement in consultation with the Ohio Attorney General and ODOT Legal Counsel.

Activity: *3C "Quick Start" Strategy for Equipment Procurement*

Task III: Operating Plan and Service Parameters, Operator Selection, Railroad Capacity Analysis, Railroad Negotiations and Railroad Agreements

The grantee will advance a set of interrelated activities with multiple deliverables that will advance a preliminary operating plan, operating parameters, the selection of an operator and the operator agreement. The railroad capacity analysis, if needed, will serve as an input into the railroad negotiation process and railroad Agreements in Principle and the Master Agreements.

Linkage: The operating plan and service parameters are linked to the draft language for the operator request for proposals; the railroad capacity analysis is linked to the selection of equipment; the selected operator will participate in the railroad negotiation process; and the railroad Master Agreement is linked to the Business Plan.

A. Operating Plan and Operating Service Parameters

The grantee has not selected an operator for the 3C "Quick Start" passenger rail service. Under this work task the grantee will:

- Establish the operating parameters and operating requirements;
- Prepare a preliminary operating plan and delineate train operations, train cycling and crew requirements;
- Assess operating costs;
- Assess liability, labor protection and other applicable FRA regulations;
- Analyze possible turn-key approaches; and
- Examine the previous operator solicitation and resulting letters of interest and define the strategy and criteria for selecting the operator.

In consultation with the Ohio Attorney General and ODOT Legal Counsel, the grantee will examine the competitive nature of the operator selection process and define and clearly state the extent and scope of the operating parameters and requirements, incentive strategies and issues for negotiation including reasonable profit margins and business arrangements, including railroad coordination and negotiation of incentives.

Deliverable: *3C "Quick Start" Operating Plan and Operating Service Parameters Report*

B. Operator Request for Proposals

In consultation with the Ohio Attorney General and ODOT Legal Counsel, the grantee will:

- Delineate a strategy for advancing a Request for Proposals;
- Determine the format for the Request for Proposals; and
- Develop formal scoring criteria for operator proposals and recommended methods of analysis of operating and financial statements and corporate strengths.

Deliverable: *Report and Recommended Strategy, Analysis and Selection Criteria for a 3C "Quick Start" Operator* and draft language for *3C "Quick Start" Request for Proposals*

C. Operator Agreement

The grantee will select the operator, and in consultation with the Ohio Attorney General and ODOT Legal Counsel, the grantee will draft content for the operator agreements and negotiate and prepare the final operator agreements under legal counsel and the grantee's consultants will provide input through the report and review agreements.

Deliverable: *3C "Quick Start" Operator Agreement*

D. Railroad Capacity Analysis Modeling Needs Assessment and Methodology

The grantee will assess the need to advance additional railroad modeling and simulation work. The purpose of additional railroad capacity analysis will build upon previous work in order to achieve the most fluid train dispatching scenarios, optimum train performance and run times, while working toward finalizing the proposed rail corridor capital investment plan through the process of negotiating with the freight railroads. The work under this task will:

- Assess the need to advance analysis of additional 3C capacity scenarios;
- Identify the number of model runs needed to adequately simulate various 3C "Quick Start" scenarios that may be linked to the business plan, the corridor investment plan and/or may be required to resolve issues during the process of negotiating with the railroads;
- Identify model inputs, variables, corridor segmentation, and set-up; and
- Describe the methodology, procedures and assumptions.

Deliverable: *3C "Quick Start" Railroad Capacity Analysis Modeling Needs Assessment and Methodology Report*

E. Train Operations Analysis, Railroad Capacity Analysis, and RTC Model Output

The analysis of the train operations is linked to the operating plan, operating service parameters and preliminary engineering activities. The railroad capacity analysis, if needed, is linked to the railroad negotiations and the business plan. Under this task the Grantee will:

- Advance the analysis of the train operating requirements along the 3C "Quick Start" corridor including the identification of operating requirements at the passenger rail stations, layover facilities, and train maintenance facility;
- Advance the modeling of the corridor, replicate the existing physical characteristics and simulate existing and future levels of freight traffic along with future passenger train operations; and
- Advance the analysis of the train operating requirements and recommendations related to NS/CSX dispatching protocols needed to accommodate efficient train movements and passenger train handoffs between the NS and CSX railroads at Berea and Columbus and between the IORY and NS at North Cincinnati.

Deliverable: *3C "Quick Start" Train Operations Analysis Report* and Intermediate and Final Documentation and results of additional RTC model runs

F. Railroad Negotiation Assistance and Railroad Agreements

In addition to the necessary legislative approvals, a variety of agreements with the host railroads will need to be negotiated, prepared and finalized prior to the initiation of 3C "Quick Start" passenger rail service. Detailed agreements will identify how the freight and passenger trains will operate in a shared-use railroad corridor where the passenger and freight trains will operate on the same tracks and infrastructure. The State of Ohio will negotiate with the owners of the freight railroads to resolve and agree on the following:

- Passenger train schedule;
- Corridor capacity additions;
- Capital and operating cost allocation;
- Passenger train preferences, schedules, frequency and speed;
- Monetary payments for track access or use of rights-of-way, track maintenance, dispatching and on-time performance;
- Responsibilities for final design, engineering and construction of corridor capital improvements
- Implementation of Positive Train Control;
- Corridor development strategy or corridor investment plan; and
- Agreement duration, liability insurance and labor protection.

Deliverable: *3C "Quick Start" Railroad Agreements in Principle* and the *3C "Quick Start" Railroad Master Agreement*

Task IV: Project-Level Environmental Assessments and Preliminary Engineering

Under this work task, the grantee will advance the project-level Environmental Assessments along with the related Preliminary Engineering of the capital improvements. The environmental studies and environmental assessments will be completed under subtasks A through D, and the preliminary engineering will be completed under subtasks E through H.

Linkage: The environmental documentation is linked to the corresponding preliminary engineering documentation; and the preliminary engineering is linked to the train operations planning and railroad capacity analysis.

Task IV – Subtasks A through D: Environmental Studies and Assessments:

Under the completed first tier, or *Service NEPA*, the grantee completed the *3C Quick Start Passenger Rail Environmental Assessment*. The Tier 2 NEPA work tasks summarized below under Task IV – Subtasks A through D, outline the grantee's anticipated approach to the Tier 2 NEPA documentation to advance the environmental studies and environmental assessments for the 3C corridor investments and the required capital improvements. The deliverables are a set of stand-alone environmental assessments (EAs) that will be advanced simultaneously through all of the environmental and project development steps:

- Cleveland to Columbus Environmental Assessment;
- Columbus to North Cincinnati Environmental Assessment; and
- North Cincinnati to Cincinnati Environmental Assessment.

It is recognized that a Categorical Exclusion (CE) document is required for the equipment purchase; however, preparation of this CE is not in this Statement of Work, but will be advanced at an appropriate time in the future.

The actual construction phasing of the 3C "Quick Start" capital improvements will be developed in coordination with the host railroads and will be finalized in the Master Agreement. All construction is contingent upon obtaining the necessary legislative approvals. In addition, construction phasing will be contingent upon material and work force availability.

The work tasks and components of the overall environmental work activities along with each of the three environmental documents are summarized below under Tasks IV – A through D.

A. Overall Project-Level Environmental Assessment Activities

The grantee will advance the environmental studies and the environmental assessment of all resources identified in the Tier 1 - *3C Quick Start Passenger Rail Environmental Assessment*.

Activities: The grantee will advance the relevant environmental studies within the project limits for the corridor, including:

- Documentation;
- Noise analysis;
- Vibration analysis;
- Wetlands and stream surveys;
- T&E species surveys
- Hazardous materials;
- Section 106 surveys;
- Section 4(f) evaluations;
- Secondary and cumulative impact surveys;
- Air quality;
- Land use and community resources;

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- Environmental Justice;
- Public health and safety;
- Visual quality;
- Floodplains;
- Existing transportation systems;
- Construction impacts; and
- Agency coordination and public involvement, among others.

B. Cleveland to Columbus Environmental Assessment

The environmental documentation for the 3C "Quick Start" corridor segment between Cleveland and Columbus will be advanced as one Environmental Assessment. This Environmental Assessment is linked to, and will be advanced concurrently with the Preliminary Engineering Activities identified in Task IV – Subtask F below. The grantee will advance the environmental studies, alternatives analysis and site selection for all of the required capital improvements along this line segment, including the following: railroad capacity additions, train layover facilities, train maintenance shop, and passenger rail stations in downtown Cleveland, southwest Cleveland and downtown Columbus.

The grantee will complete the environmental assessment of all the relevant resources within the project limits, coordinate all required studies/assessments with resource agencies, conduct all necessary public involvement/public hearings, prepare the Draft and Final Environmental Assessment documents for resource agency/FRA review and approval, and prepare a Draft Finding of No Significant Impacts (FONSI) for FRA review and issuance.

Deliverables: *Draft Environmental Assessment Document, Final Environmental Assessment Document, and Draft FONSI*

C. Columbus to North Cincinnati Environmental Assessment

The environmental documentation for the 3C corridor segment between Columbus and North Cincinnati will be advanced as one Environmental Assessment. This Environmental Assessment is linked to and will be advanced in conjunction with the Preliminary Engineering Activities identified in Task V - F below. The grantee will advance the environmental studies, alternatives analysis and site selection for all of the required capital improvements along this line segment, including the following: railroad capacity additions, train layover facilities, and passenger rail stations in Springfield, East Dayton, Dayton and North Cincinnati.

The grantee will complete the environmental assessment of all the relevant resources within the project limits, coordinate all required studies/assessments with resource agencies, conduct all necessary public involvement/public hearings, prepare the Draft and Final Environmental Assessment documents for resource agency/FRA review and approval, and prepare a Finding of No Significant Impacts (FONSI) for FRA review and issuance.

Deliverables: *Draft Environmental Assessment Document, Final Environmental Assessment Document, and Draft FONSI*

D. North Cincinnati to Cincinnati Environmental Assessment

The environmental documentation for the 3C corridor segment between North Cincinnati and Cincinnati will be advanced as one Environmental Assessment (EA). This Environmental Assessment is linked to and will be advanced in conjunction with the Preliminary Engineering Activities identified in Task V - F below. The grantee will advance the environmental studies, alternatives analysis and site selection for all of the required capital

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improvements including the railroad capacity additions, the passenger rail station in Cincinnati, and the train layover facility.

The grantee will complete the "purpose and need" documentation, and evaluate the route and station locations in the Cincinnati area, involving public and stakeholders in the alternatives analysis process, and finalizing the route and station location planning and alignment decisions.

The grantee will complete the environmental assessment of all the relevant resources within the project limits, coordinate all required studies/assessments with resource agencies, conduct all necessary public involvement/public hearings, prepare the Environmental Assessment document for resource agency/FRA review and approval, and prepare a Finding of No Significant Impacts (FONSI) for FRA review and issuance.

Deliverables: *Draft Environmental Assessment Document, Final Environmental Assessment Document, and Draft FONSI.*

Tasks IV – Subtasks E through H: Preliminary Engineering

Under Task IV – Subtasks E through H, the Grantee shall conduct the alternatives analysis and conceptual design for the passenger stations, station ancillary facilities, train layover facilities, and the train maintenance shop, and will advance the preliminary engineering for all of the required capacity improvements on the right-of-way, track and infrastructure owned by CSX Corp, Norfolk Southern, and Rail America within the boundaries of the State of Ohio.

The individual 3C capital projects and the related design and preliminary engineering activities for each project is described below under Task IV – Subtasks E through H. The preliminary engineering design requirements such as type of rail, FRA Track Classification, signaling, and speed requirements will be established through a combination of consultation with the FRA, negotiations with the host freight railroads and analyses of infrastructure by the State of Ohio's planning and engineering consultants.

Linkage: The preliminary engineering tasks are linked to the train operations planning, railroad capacity analysis, capacity additions, railroad negotiations and the business plan.

E. Overall Preliminary Engineering Tasks

The grantee will advance four areas requiring specialized railroad engineering assessments, analysis, and corridor investment planning including the following:

1. Review of Highway/Railroad Crossing Warning Devices

The grantee has advanced a preliminary review of the 268 public at-grade crossings on the 3C corridor. Under this work activity the grantee will:

- Pursue a "sealed corridor" approach to enhance safety for both motorists and 3C rail passengers;
- Conduct a review of the existing warning devices and prioritize the required modifications to all of the public 3C corridor highway/rail crossing warning devices; and
- Advance a design review of the engineering requirements, advanced technologies and costs for all of the crossings on the 3C Corridor.

Activity: *3C "Quick Start" Highway/Rail Crossing Warning Device Assessment and Improvement Plan* Report.

2. Review of Engineering Requirements Needed to Increase Authorized Train Speeds and Reduce Passenger Train Run Times

The grantee has identified thirty-four locations along the 3C corridor where the authorized train speeds are reduced below the maximum permissible Class 4 track speeds. In these locations, passenger trains must decelerate from their top speed of 79-mph to the authorized speed which is most often in the range of 60-mph down to 40-mph. In total, it is likely that these "speed hits" are having a significant effect on the total train run times between stations and corridor end-points. Under this work activity the grantee will:

- Examine all of the locations along the line where the maximum authorized railroad track speeds are reduced to determine the impact that reductions in speed have on total corridor run time;
- Identify the primary cause of the restrictive speeds (i.e. freight railroad operations, track and turnout conditions, signal requirements, interlocking issues, or municipal speed orders);
- Advance the conceptual engineering needed to identify what is required to raise the authorized speeds;
- Identify projects that have the greatest benefit and may be advanced under the Project-NEPA and PE phase of the 3C "Quick Start" project development process; and
- Develop a rail corridor investment strategy that reduces total corridor train run time by prioritizing future capital investments needed to effectively increase the authorized speed in select locations along the line.

Activity: *Engineering Assessment of 3C "Quick Start" Authorized Speed Restrictions and Plan for Reducing Corridor Train Run Time.*

3. **Review of Engineering Requirements and Implementation Strategy for Positive Train Control**

The Grantee will review the freight railroad plans and Federal safety requirements for the implementation of positive train control and its implications on the construction and timing of the 3C "Quick Start" Service.

Deliverable: *3C "Quick Start" Implementation Strategy for Positive Train Control.*

4. **System Safety Program Plan**

The Grantee will produce a System Safety Plan (SSP) which will include a Collision Hazard Analysis. The SSP will be developed in cooperation with the active participation of designated representatives of the host railroads, the operator of the service, the FRA, and ODOT.

Deliverable: *3C "Quick Start" System Safety Plan* (SSPP), including a *Collision Hazard Analysis*

F. Cleveland to Columbus Preliminary Engineering

In conjunction with the Cleveland to Columbus Environmental Assessment, the grantee will complete the alternatives analysis, required to complete the preliminary engineering for capital improvements, including: the railroad capacity additions, the stations, train layover facilities, and the train maintenance facility. The grantee will:

- Complete the preliminary engineering for all of the capacity additions and modifications to NS and CSX mainline tracks, including 2nd mainline tracks, sidings,

connecting tracks, interlockings, turnouts, crossovers, and all related signal improvements, track upgrades and highway/rail crossing warning device upgrades;

- Advance the engineering and analysis of alternative sites considered in the Tier 1 for the passenger train service, inspection, and maintenance facility; finalize the selection of a preferred site; and advance the conceptual site design for the preferred site for the maintenance facility;
- Advance the engineering and analysis of alternative sites considered in the Tier 1 for the train layover facilities in Cleveland and Columbus; and advance the conceptual site plan for the preferred sites for the layover facilities;
- Advance either the conceptual or preliminary engineering as needed to complete the environmental studies for the station related capital improvement projects including station pocket tracks, modifications to the mainline railroad tracks, turnouts and signaling, station platforms, pedestrian crossings and related safety improvements, horizontal and vertical pedestrian connections including bridge structures, sidewalks, elevators, stairs and escalators, parking lots, vehicular drop-off areas, multimodal facilities, and other ancillary passenger facilities related to the three stations including the following: downtown Cleveland at the Amtrak Lakefront Station site; suburban Cleveland at the West 150th Street/Puritas Station site; and downtown Columbus, at the Convention Center Station site.

Deliverable: Preliminary Engineering documentation

G. Columbus to North Cincinnati Preliminary Engineering

In conjunction with the Columbus to North Cincinnati Environmental Assessment identified in Task V – Subtask C above, the grantee will complete the alternatives analysis, design and preliminary engineering required to complete the project-level environmental studies for all of the 3C "Quick Start" capital projects, including: stations, train layover facilities, and the railroad capacity additions between Columbus and North Cincinnati. The grantee will:

- Complete the preliminary engineering for all of the capacity additions and modifications to NS mainline tracks including, 2nd mainline tracks, sidings, connecting tracks, interlockings, turnouts, crossovers, and all related signal improvements, track upgrades and highway/rail crossing warning device upgrades;
- Advance either conceptual or preliminary engineering, as needed to complete the environmental studies for the station related capital improvement projects including station pocket tracks, modifications to the mainline railroad tracks, turnouts and signals, station platforms, pedestrian crossings and related safety improvements, horizontal and vertical pedestrian connections including bridge structures, sidewalks, elevators, stairs and escalators, parking lots, vehicular and transit drop-off areas, multimodal facilities, and other ancillary passenger facilities related to the Springfield station, the East Dayton (Riverside) station, the downtown Dayton station and the North Cincinnati station.

Deliverable: Preliminary Engineering documentation

H. North Cincinnati to Cincinnati Preliminary Engineering

In conjunction with the North Cincinnati to Cincinnati Environmental Assessment identified in Task V – Subtask D above, the grantee will complete the alternatives analysis, design and preliminary engineering required to complete the project-level environmental studies for all of the 3C "Quick Start" capital projects, including: stations, train layover facilities, and the railroad capacity additions between North Cincinnati and Cincinnati.

The Environmental Assessment for the 3C rail line segment serving Cincinnati will advance, resolve and finalize decisions regarding the project location and community priorities and will complete the planning and engineering analysis for alternative station locations and related railroad alignments in Cincinnati.

The grantee will:

- Complete the reevaluation of alternatives and the engineering analysis of new information related to route and alignment decisions and alternative station locations in Cincinnati; involve the public and stakeholders in the alternatives analysis process; and finalize the route, alignment and station location decisions;
- Complete the preliminary engineering for all of the capacity additions and modifications to NS mainline tracks, including 2nd mainline tracks, sidings, connecting tracks, interlockings, turnouts, crossovers, and all related signal improvements, track upgrades and highway/rail crossing warning device upgrades;
- Complete the preliminary engineering for all of the capacity additions and modifications to IORY tracks, including track upgrades, connecting tracks, interlockings, turnouts, crossovers, sidings, and sidings or pocket tracks needed for additional track capacity at the Cincinnati station and all related signal improvements;
- Advance the engineering and analysis of alternative sites considered the the Tier 1 for train layover facilities in Cincinnati, and advance the conceptual site plan for the preferred sites for the layover facility;
- Advance either preliminary or conceptual engineering, site planning, and architectural design concepts, as needed to complete the Tier 2 environmental studies for the station related capital improvement projects including station sidings or pocket tracks, modifications to the mainline railroad tracks, turnouts and signaling, station platforms; pedestrian crossings and related safety improvements, pedestrian connections and sidewalks, parking lots, vehicular and transit drop-off areas, multimodal facilities, and other ancillary passenger facilities related to the Cincinnati station.

Deliverable: Preliminary Engineering documentation

Task V: Statewide Tasks

In conjunction with the environmental and preliminary engineering tasks, the grantee will:

- Implement the appropriate level of railroad coordination throughout the 3C "Quick Start" Project NEPA and Preliminary Engineering Process;
- Implement the appropriate level of public and stakeholder involvement in the 3C "Quick Start" Project NEPA and Preliminary Engineering Process;

- Document the Means and Methods for the 3C "Quick Start" Project NEPA and Preliminary Engineering studies and project development process.

  Deliverables: *3C "Quick Start" Public Involvement Plan, 3C "Quick Start" Project NEPA and Preliminary Engineering Means and Methods Reports,* and *Project Administration Documentation.*

PROJECT SCHEDULE

The period of performance for the above work shall be 15 months beginning upon authorization of the work by the Federal Rail Administration. The period will start on September 1, 2010 and end on November 31, 2011.

TASK NUMBER	TASK DESCRIPTION	START DATE	END DATE
Task I	**Business Plan and Economic Impact Study**	9/1/2010	11/31/2011
Task II	**Equipment Specification**	9/1/2010	11/31/2010
Task III	**Operating Plan and Service Parameters, Operator Selection, Railroad Capacity Analysis, Railroad Negotiations and Railroad Agreements**	9/1/2010	11/31/2011
Task IV	**Project-Level Environmental Assessments and Preliminary Engineering**	9/1/2010	11/31/2011
Task V	**Statewide Tasks**	9/1/2010	11/31/2011

DELIVERABLES

DELIVARABLE NUMBER	DELIVERABLE DESCRIPTION
Task I	**Business Plan and Economic Impact Study**
Task I – A	3C "Quick Start" Draft and Final Business Plan Reports
Task II	**Equipment Specification**
Task II – A	3C "Quick Start" Equipment Performance Specification Report
Task III	**Operating Plan and Service Parameters, Operator Selection, Railroad Capacity Analysis, Railroad Negotiations and Railroad Agreements**
Task III – A	3C "Quick Start" Operating Plan and Operating Service Parameters Report
Task III – B	Report and Recommended Strategy, Analysis and Selection Criteria for a 3C "Quick Start" Operator and Draft Language for the 3C "Quick Start" Request for Proposals
Task III – C	3C "Quick Start" Operator Agreement
Task III – D	3C "Quick Start" Railroad Capacity Analysis Modeling Needs Assessment and Methodology Report
Task III – E	3C "Quick Start" Train Operations Analysis Report and Intermediate and Final Documentation and Results of Additional RTC Model Runs
Task III – F	3C "Quick Start" Railroad Agreements in Principle and the 3C "Quick Start" Railroad Master Agreement
Task IV	**Project-Level Environmental Assessments and Preliminary Engineering**
Task IV – B	Cleveland to Columbus Draft and Final Environmental Assessment and Draft FONSI
Task IV – C	Columbus to North Cincinnati Draft and Final Environmental Assessment and Draft FONSI
Task IV – D	North Cincinnati to Cincinnati Draft and Final Environmental Assessment and Draft FONSI
Task IV – E3	3C "Quick Start" Implementation Strategy for Positive Train Control
Task IV – E4	3C "Quick Start" System Safety Program Plan and Collision Hazard Analysis
Task IV – F	Cleveland to Columbus Preliminary Engineering Documentation
Task IV – G	Columbus to North Cincinnati Preliminary Engineering Documentation
Task IV – H	North Cincinnati to Cincinnati Preliminary Engineering Documentation
Task V	**Statewide Tasks - *Required in order to complete the project, as applicable***
Task V	3C "Quick Start" Public Involvement Plan, 3C "Quick Start" Project NEPA and Preliminary Engineering Means and Methods Reports, and Project Administration Documentation

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PROJECT ESTIMATE/BUDGET*

The total estimated cost of the project is $0.00 through environmental and preliminary engineering for which the FRA grant will contribute an estimated 100% of the total cost. Any additional expense required beyond that provided in this grant to complete the project shall be borne by the Grantee.

Project Cost Details

TASK NUMBER	TASK DESCRIPTION	COST
Task I	Business Plan and Economic Impact Analysis	
	TOTAL COST	$ xxx,xxx
Task II	Equipment Specification	
	TOTAL COST	$ xxx,xxx
Task III	Operating Plan and Service Parameters, Operator Selection, Railroad Capacity Analysis, Railroad Negotiations and Railroad Agreements	
	TOTAL COST	$ xxx,xxx
Task IV	Environmental Assessments and Preliminary Engineering	
	TOTAL COST	$ xxx,xxx
Task V	Statewide Tasks and Project Administration	
	TOTAL COST	$ xxx,xxx
	Contingency	
	TOTAL COST	$ xxx,xxx
	GRAND TOTAL COST	$ xxx,xxx

*** Awaiting verification – preliminary estimate or refinement needed.**

[OH-3C-"Quick Start"] (FRA Grant):

FRA ([100.00% Same as Above] of project cost): $ [0.00]

Grantee Contribution ([0.00%] of project cost): $ [0.00]

Total Project Cost: $ [0.00]

PROJECT COORDINATION

Effective project coordination is necessary for on-time, on-budget delivery of the 3C "Quick Start" project. This coordination includes involvement of two Class 1 host railroads, one regional host railroad, four metropolitan planning organizations, five ODOT district offices and Ohio local governments located along the 3C "Quick Start" alignment; Cleveland, Berea, Columbus, Springfield, Riverside, Dayton, Springfield, and Cincinnati. (The host railroads include CSX Corp. (CSX), Norfolk Southern (NS), and Rail America (IORY).) The selection of an operator, equipment provider and maintenance organizations will identify additional partners for coordination as the project progresses.

PROJECT MANAGEMENT

The 3C "Quick Start" Corridor Program Project Management Plan describes the organizational roles and responsibilities for coordinating project development of the 3C "Quick Start" project. This document defines the project oversight team and approach. Ultimately, the Director of the Ohio Department of Transportation will be responsible for this project. The table below represents the key personnel that will form the core project team for this phase of the 3C "Quick Start" project.

Key Personnel	Project Roles & Responsibilities
Executive Oversight Committee, ODOT and ORDC	This group will provide oversight for the 3C "Quick Start" Corridor Program and will act as the final authority on any major decisions, sign-offs, and change orders that arise throughout the course of the project.
Program Manager, ODOT	Serves as Program Manager and single point of contact for the Federal Rail Administration, and coordinates issues that require the attention of both ORDC and ODOT Executives.
Executive Director, ORDC	Serve as interagency connection to ORDC for the project. Will work with the rail consultant CH2M Hill and the railroads on the Master and Access right agreements.
Project Manager, ODOT	Responsible for coordination of all day-to-day activities. This includes design and delivery of necessary documentation including but not limited to scope of work, planning documentation, design plans, and equipment specifications to obtain federal authorization for and assistance during construction of projects in the corridor program.
State Passenger Rail Planner, ORDC	Responsible for all planning activities including station input, business plan development, and equipment specifications.
Environmental, ODOT	Responsible for all components of the NEPA process and preliminary engineering.
Legal	Responsible for working with the railroads to finalize the Master and Access Right Agreements as-well-as the liability and insurance components associated with passenger rail service. The Legal team will also work on the Operator Agreement once an operator is selected.
Lead Communications, ODOT	This role with ensure that all Public Involvement, local community messaging, and media/news communications are aligned and distributed effectively.

Multi-Media Communications, ORDC	Responsible for support in conveying public information on project status through multi-media approach, including online social media.
Local Community - Station Development, ODOT	This role is responsible for coordinating station development in all 3C "Quick Start" Corridor Program station locations, including: local government coordination, transit coordination; station branding, traffic coordination and planning, and all activities necessary to prepare a station for day one and future service.
Local Community - Economic Development, ODOT	This role is responsible for working with the local governments and MPO's on economic development opportunities as well as livable communities along the 3C Corridor.
Passenger Rail Expert - PB Americas, Inc.	The role of this company is to complete the Tier II Environmental documentation. Additionally, PB will be responsible for delivering 3C "Quick Start" Corridor Program design to 30% completion. This includes 250+/- miles of corridor with track capacity, track upgrade, and station projects. PB will prepare the 3C Business Plan and Economic Analysis. PB will coordinate with the FRA and support the Program and Project Managers throughout the project.
Passenger Rail Expert - CH2M HILL, Inc.	The role of this organization is to assist ODOT/ORDC in many 3C "Quick Start" Corridor Program aspects, including: negotiation of master/access agreements with the host freight railroads; operator selection; equipment procurement; modeling; signal systems; and location and design of the car maintenance facility. CH2M Hill will serve as the subject matter expert and support the Program, Project Managers, and the negotiation team throughout the project.
Safety & Railroad Construction Manager, ORDC	Responsible for assigning inspection staff to compliment ODOT construction staff including the areas of crossings, second main construction, and signals.
Procurement, ODOT	Responsible for assisting in the procurement of consulting services. Position ensures that all procurement activities comply with Ohio Revised Code Chapter 5526 and 23 CFR 172.

OHIO Hubs

Ohio Hubs of Innovation and Opportunity

OHIO'S HUBS OF INNOVATION AND OPPORTUNITY

Ohio's Hubs of Innovation and Opportunity (Ohio Hubs) work to leverage a region's resources and investment to attract clusters of connected businesses, encourage new investments, and an influx of talented workers, and create new opportunities to grow jobs and develop Ohio's key industries.

- As regional economic development initiatives that build upon leading assets in our urban centers, Ohio's Hubs aim to accomplish three major goals:
  1. *Propel innovation through cutting-edge, market-driven applied technology, and knowledge spillover;*
  2. *Foster the opportunity for job creation and retention; and*
  3. *Catalyze the formation of new companies in the region, while at the same time helping to ensure that Ohio's existing industries retain their competitive advantage in the global marketplace.*
- The Ohio Hubs are an element of our long-term strategy to change the trajectory of Ohio's economy.
- The Ohio Hubs also complement and leverage the resources and investments already working in our communities including the **Ohio Third Frontier**, **Clean Ohio Fund**, **Job Ready Sites**, and **Ohio Department of Development** economic and community development programs.
- Ohio's goal for the Hubs is to help foster a concentration of companies, applied research assets, leading business support intermediaries, and knowledge assets in specific technological sectors within each of our regions, promoting the deployment, and commercialization of services and products.
- To be designated an Ohio Hub, a region must identify core technological strengths that support a nationally recognized industry sector in a defined urban area that includes an anchor research institution. The designation consists of a commitment from both the state and region to work collaboratively and target economic development efforts toward building upon those identified strengths.

OHIO HUBS LEAD TO...

- Commercialization and technological innovation
- The growth of companies, employment, capital investment, product sales, and community development
- A competitive environment conducive to innovation and collaboration between industry, universities, and the public sector
- Strategic alliances with the recognition that important scientific questions require interdisciplinary research teams across multiple institutions

OHIO'S HUBS:

Ohio Aerospace Hub

- The Ohio Department of Development identified Ohio's first Hub in Dayton, building upon investments and research related to the Aerospace and Aviation cluster.
- This collaboration is between the City of Dayton, University of Dayton, Montgomery County, and the Dayton Development Corporation, with the active support of the Ohio Department of Development.
- An urban center was identified stretching from the University of Dayton to the TechTown complex encompassing the Oregon District and Miami Valley Hospital. The area has seen substantial investment by the state through the Ohio Third Frontier and Clean Ohio Revitalization Fund, as well as city, university, and federal support.
- Strong regional assets:
  - **Ohio Third Frontier Wright Center of Excellence,**
  - **Two Edison Incubators,**
  - Access to risk capital through the **Ohio Third Frontier Entrepreneurial Signature Program**, and
  - Research capacity of the **University of Dayton Research Institute**, along with the support of other regional leaders such as **Wright-Patterson Air Force Research Laboratories**, **the National Composite Center**, and **Wright State University**.

Ohio | **Department of Development**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Lisa Patt-McDaniel, Director,
Ohio Department of Development

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Cleveland Health and Technology Corridor Hub

- The Cleveland Health and Technology Corridor is focused on promoting entrepreneurship, economic development, and commercialization in the bioscience field, targeted on the development of medical devices for cardiovascular, imaging, and neurostimulation applications.
- The hub brings together the Cleveland Health and Technology Corridor partners, including **the Cleveland Clinic, University Hospitals, Case Western Reserve University, Cleveland State University, the Greater Cleveland Partnership, the Cleveland-Cuyahoga County Port Authority, the Cleveland Foundation, the Cuyahoga County Department of Development, the City of Cleveland, MidTown Cleveland, Inc., and BioEnterprise**.
- The hub, stretching from University Circle along the Euclid Corridor to Downtown Cleveland, currently includes 75 biomedical companies, 45 high-tech companies, and 50,000 healthcare and biomedical employees.

Northwest Ohio Solar Energy Innovation Hub

- The Northwest Ohio Solar Energy Innovation Hub brings together the University of Toledo, Bowling Green State University, Owens Community College, Penta Career Center, Terra Community College, and Northwest State Community College into a hub of educational institutions dedicated to helping the solar industry of Ohio continue to grow and prosper.
- The Northwest Ohio Solar Energy Innovation Hub will focus on promoting entrepreneurship, economic development and commercialization in the solar industry by providing assets such as top solar researchers, entrepreneurs, manufacturers, education institutions, trade associations and training providers.
- Toledo is within 100 miles of 63 percent of U.S. photovoltaic solar cell manufacturers, such as First Solar and United Solar Ovonic. Emerging firms such as Xunlight, Calyxo, and Willard & Kelsey Solar Group all have major operations in the region.

Consumer Marketing Hub of Innovation and Opportunity

- The Consumer Marketing Hub of Innovation and Opportunity, located in Cincinnati, brings together consumer marketing powerhouses P&G, The Kroger Co., and Macy's, which are all headquartered in the region, as well as international brand-building organizations such as Landor, Bridge Worldwide, and LPK; consumer market-knowledge generators such as dunnhumby and Nielsen/BuzzMetrics; and the University of Cincinnati.
- The hub will help leverage the region's assets in consumer marketing. It will further strengthen the existing industry cluster, enable attraction and creation of new businesses, attract and retain creative and highly-skilled talent, build Cincinnati's international reputation as the leading center for consumer marketing, and drive economic growth in the region and throughout the State of Ohio.
- From conceptualization of ideas and initial consumer research, to implementation of integrated marketing and communications campaigns, Cincinnati businesses are in the forefront of innovation in consumer marketing and have deep knowledge of the process required to take a brand to market and drive market share.

Biomaterials Commercialization Hub of Innovation and Opportunity

- The Biomaterials Commercialization Hub brings together the Austen BioInnovation Institute, the University of Akron, Summa Health Systems and Akron General Medical Center, Akron Children's Hospital, the Akron Global Business Accelerator, Summit County, and the City of Akron.
- The Biomaterials Commercialization Hub will focus on biomaterials for orthopedics and wound healing applications, and will be established in the existing Akron Biomedical Corridor. The Hub assists the city with becoming a globally recognized leader in the commercialization of innovation biomaterials technologies, products, and services. The Hub will also attract and provide assistance to international biomaterials companies as they enter the U.S. market.
- The Hub builds off of Akron's long history of innovation in the rubber, tire, toy, and food industries, to become global leaders in a new generation of industries such as polymers and biosciences.

For more information on Ohio Hubs, visit: www.development.ohio.gov/OhioHubs/
or call (614)995-2292.

2010 HIGHWAY SAFETY IMPROVEMENT PROGRAM REPORT
(Evaluation of improvements made in State Fiscal Year FY 2010)
OHIO RAIL DEVELOPMENT COMMISSION
RAILROAD GRADE CROSSING SAFETY PROGRAMS

Purpose: The Ohio Rail Development Commission (ORDC) Railroad Grade Crossing Safety Programs provide funding for highway-railroad grade crossing safety improvements or corrective activity designed to alleviate a highway-railroad hazard. The State of Ohio has approximately 6,100 public, at-grade crossings of which 3,111 (51%) are equipped with flashing lights and roadway gates, 793 (13%) are equipped with flashing lights only and 2,196 (36%) are passive. In addition, Ohio has approximately 2,257 grade separations.

Effectiveness: The crashes occurring at public grade crossings in Ohio have shown a steady decline and leveling off since the early 1970s. The table below summarizes the progression. The State experienced a reduction in total crashes for 2009 of 33% below the previous year. Crashes at locations with active warning devices (lights and gates or flashing lights only) accounted for 56% of all crashes occurring in 2009.

	Calendar Years										
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
CRASHES	127	143	123	120	112	117	122	108	113	82	55
FATALITIES	19	15	21	20	11	13	7	15	8	11	6
INJURIES	46	40	41	36	44	32	32	30	40	31	18

It is worth noting that as of August, 2010 Ohio has seen a total of 36 crashes with 2 fatalities and 8 injuries since January of 2010. 75% of the crashes were at locations with active warning devices.

Funding: The ORDC Railroad Grade Crossing Safety Programs are primarily funded through the Ohio Department of Transportation (ODOT) from the Federal Highway Administration (FHWA) Highway Safety Improvement Program and Surface Transportation Program. Historically, ORDC has received $15 million per fiscal year. This amount exceeds the $8.2 million set-aside for railroad grade crossing safety in the Transportation Equity Act for the 21st Century and the Safe Accountable, Flexible Efficiency Transportation Equity Act – A Legacy for Users (SAFETEA-LU) by $6.8 million. In addition to this annual expenditure of $15 million, the ORDC assists ODOT and Metropolitan Planning Organizations (MPO) with the administration of all grade crossing safety improvement projects. An example of this activity would be federal set-asides. For State FY 2010, the total federal expenditures in the grade crossing safety programs for the State of Ohio were $25,666,940. In addition, the ORDC administered $434,661 in additional funds on behalf of other entities using non-federal funds, bringing the grand total of investment administered by the ORDC $ 26,101,601.

State Fiscal Year 2010 Activities

INTRODUCTION

This 2010 Highway Safety Improvement Program Report will cover all expenditures made in State FY 2010 toward grade crossing safety. Of the $25,666,940 federal funds expended on grade crossing safety improvements in State FY 2010, $4,910,000 was expended specifically under 23 USC 130. The remaining portion of the $8.2 million set-aside for railroad grade crossing safety in the Transportation Equity Act was distributed to other safety programs in this report. Attached is a spreadsheet titled State FY 2010 – Projects Funded under 23 USC 130. This document reflects the information available as of August, 2010. Complete documentation on these projects will be filed in the annual Highway Safety Improvement Program Report of 2013.

CROSSING APPROACH IMPROVEMENTS

Historically, activities such as channelization, new or upgraded traffic signals and pre-signals, guardrails and pedestrian / bicycle path improvements near the crossing are funded as part of individual warning device projects. These types of improvements are incorporated into our projects and typically not specifically funded as individual projects using Federal funds administered by the ORDC.

In relationship to pedestrian crossings, both in conjunction with a vehicular crossing and as standalone pathways, the ORDC has experienced a recent increase in requests for assistance in adding warning devices for the pedestrians and bicyclists. The ORDC has identified this as a target area for additional resources in the future. The ORDC holds active membership on the National Committee on Uniform Traffic Control Devices. Part 8 of the 2014 Manual on Uniform Traffic Control Devices (MUTCD) will have a new section with specific standards for sidewalks and pathways that cross railroad tracks. The ORDC will incorporate these standards into any future policy.

The State of Ohio funds grade crossing illumination projects through a State funded Supplemental Assistance Program administered by the Public Utilities Commission of Ohio (PUCO).

CROSSING WARNING SIGN AND PAVEMENT MARKING IMPROVEMENTS

No specific improvements were accomplished in the area of crossing warning sign and pavement marking improvements in State FY 2010. Advance warning signs, crossbucks and pavement markings were upgraded in 1994 at all passively-warned highway grade crossings as part of the MUTCD experiment for the evaluation of the Buckeye Crossbuck. This experiment has

concluded and revised standards published in the 2009 edition of the MUTCD are anticipated to be adopted in the Ohio Manual on Uniform Traffic Control Devices. As a result, the State is in the process of developing a plan to address the installation of yield and stop signs as part of the crossbuck assembly. Funding for these improvements will begin in FY 2011.

CSX Transportation (CSX) and Norfolk Southern (NS) have approached the ORDC with a proposal to collaborate on the improvements to the Crossbuck assemblies. CSX and NS are concerned about the retroreflective strip requirement and compliance with the January 17, 2011 deadline. The two railroads would like to partner with ORDC to have improved Crossbuck assemblies that meet MUTCD and Ohio MUTCD standards installed at all public, passive rail-highway grade crossings.

Ohio has approximately 2,196 public, passive grade crossings. Most crossings are equipped with two crossbuck assemblies. Based on the currently available estimate, estimated cost for replacing Crossbuck assemblies throughout the state would be $2,433,900.00.

The ORDC is obligated to restore Crossbuck assemblies at all public, passive rail-highway grade crossings to 2009 MUTCD standards. CSX and NS, along with many of the shortline railroads, have expressed an interest in partnering with ORDC in this effort. Partnering with the railroads will result in shared costs for improvements to the Crossbuck assemblies. In the absence of such a partnership, the ORDC will still be responsible for, at a minimum, the cost of relocating the existing Crossbuck assemblies to MUTCD standard by 2019.

The ORDC will enter into agreements with railroads that wish to participate for a 50/50 split for the replacement of Crossbuck assemblies at all public, passive grade crossing. It is intended that a state-wide specification and pre-audited cost will be approved and applied consistently to all participating railroads. Such an agreement will be mutually advantageous by facilitating the compliance obligations of both the ORDC and the railroads.

ACTIVE GRADE CROSSING EQUIPMENT INSTALLATION / UPGRADE

Priority Warning Device Improvements (Original Section 130 Program)
In State FY 2010, 25 crossings were specifically identified by the Federal Railroad Administration (FRA) Hazard Index. This identification process included crossings identified by constituents and verified by the FRA Hazard Index. The locations were selected on a state-wide basis.

The column titled "Effectiveness Hazard Prediction Ranking" on the attached spreadsheet indicates the statewide ranking of the crossing at the time it was selected for improvement. The ranking demonstrates a 1 to approximately 6,100 position of that specific location in comparison to all public at-grade crossings in Ohio. In this particular fiscal year, the project locations selected by hazard index alone are ranked between 1 and 216. Locations between 1 and 216 that were not selected are either (1) already equipped with flashing lights and roadway gates, (2) an

existing project identified prior to this set of projects, or (3) were found adequate by a diagnostic team. Project locations qualifying under this area but identified by constituent concerns and verified by hazard index ranked between 22 and 171.

Rail Corridor Program

In an effort to take advantage of economies of scale and the closure of redundant crossings, the State of Ohio promotes the concept of upgrading segments of rail, with multiple crossings, at one time.

In FY 2010 segments on the Norfolk Southern (NS) CJ corridor were addressed in Butler County (5 crossings); Clark County (5 crossings); Franklin County (1 crossing); Green County (1 crossing); Green County, City of Fairborn (4 crossings); Madison County (3 crossings); and Madison County, City of London (6 crossings).

In FY 2010, CSX and ORDC have identified a new corridor to be funded over the next few fiscal years. Galion to Union City, Great Lakes Division, Indianapolis Line Sub-Division will be addressed. The corridor has 123 public at-grade crossings.

Fatal Crash Upgrade Program

The Fatal Crash Upgrade Program was a program initiated by the ORDC in 2001. When a community in Ohio experiences a fatal grade crossing crash, the ORDC immediately conducts a field review of the crossing. If the field review ultimately concludes that an engineering improvement would reduce the chance of another crash, the ORDC immediately addresses the engineering issue with a project to implement the corrective action. In FY 2010, the ORDC funded one (1) installation of flashing lights and roadway gates as a result of this program.

Grade Crossing Consolidation Program

The ORDC supports the consolidation initiative and has aggressively pursued the closure of redundant crossings for decades. In the Grade Crossing Consolidation Program, flexible funds providing local incentive for crossing closure are utilized. The ORDC offers a range of improvements. Examples of improvements offered include flashing lights and roadway gates at other grade crossings in the community, surface reconstruction, profile improvement, and/or railroad infrastructure improvements that can benefit the highway user and/or the creation of parallel roadways, cul-de-sacs or T-turnarounds.

Over the years, crossing closures have become increasingly difficult to achieve. In 2010, the ORDC negotiated four (4) crossing closures. In exchange for these closures, nine (9) surface and three (3) warning device projects were funded.

In 1996 and 1997, ORDC staff worked with Senator Michael DeWine to create language in 23 U.S.C. § 130(i) that allows for incentive payments for at-grade crossing closures. The flexibility allowed under this language has proven useful in the closure of redundant crossings in Ohio; however, the ORDC believes small modifications to the existing code could significantly

increase the number of crossings eliminated in our state. In this regard, the ORDC commented to FRA Docket No. FRA-2009-0032, RIN 2130-AC20 and indicated that the ORDC would be more than willing to work with appropriate congressional staff or the FRA to modernize existing code to make it more applicable to today's situation. Some revisions that ORDC believes would result in more successful closure negotiations and significantly increase the number of crossing eliminations include:

- The funding limitation of $7,500 has proven to be too small to persuade local highway authorities to make the politically difficult decision to close a crossing. The ORDC believes that a commensurate compensation for the closure of a hazardous and redundant crossing would be equal to the amount of money it would cost the applicable government agency to improve the crossing with additional warning devices. In other words, if a diagnostic team recommends a redundant crossing be modified from passive signage to flashing lights and roadway gates, federal grade crossing safety funds should be eligible for a sum equal to the installation cost of said flashing lights and gates in the form of an incentive payment from the State under the existing provision of 23 U.S.C. § 130. Significant grants, as opposed to the existing limitation of $7,500, to be used for transportation safety improvements would create win/win situations for all involved. A case before the Public Utilities Commission of Ohio (PUCO) in 2009 and 2010, involving a crossing on Ulsh Road in Claridon Township Marion County, Ohio, illustrates this point. A redundant, unsafe crossing was identified; however, ORDC was constrained in attempting to negotiate an amicable closure based on the lack of a sufficient monetary incentive. Claridon Township has appealed a PUCO Order closing Ulsh Road, and while legal proceedings did eventually close the crossing a faster and more amicable agreement could have been reached if more funds were available.
- In considering the increase of the incentive allowed for a grade crossing closure, it must be acknowledged that 23 U.S.C. § 130 calls for an equal incentive payment from the railroad owning the tracks on which the crossing is located. If the incentive payment from the state is increased, ORDC supports an incentive payment from the railroad to be no less than $7,500. If a higher incentive payment from the railroad is warranted, this should be negotiated by the State and the railroad based on specific circumstances, such as hazard index, sight distance, maintenance costs and railroad financial resources.

When considering the overall importance of 23 U.S.C. § 130, it is paramount that Congress recognizes the need to maintain this dedicated program in the next transportation reauthorization. The § 130 program is the funding source behind approximately 40 of Ohio's grade crossing warning device upgrade projects per year. Absent this program, Ohio's ability (and that of all states utilizing § 130 funds) to eliminate hazards at public grade crossings would be severely reduced. It is imperative that the funding provided under 23 U.S.C. § 130 remain available to all states in order to continue to aggressively create a safer transportation system.

County Task Force/Constituent Initiated

The ORDC considers local level grass root interests in grade crossing safety a critical component of its overall program. The ORDC has assisted in the creation of approximately one dozen County Railroad Safety Task Force organizations throughout the State. In these Task Force

groups, ORDC's efforts are often complemented by the work of such rail highway grade crossing safety advocacy groups as The Angels on Track Foundation (AOT). ORDC staff is active on each of the Task Force groups and attempts to partner with local groups to fund safety projects that they prioritize. In addition to Task Force groups, Local Highway Authorities (LHA) may request assistance funding the local share of the Public Utilities Commission of Ohio (PUCO) State-funded light and gate projects. The projects funded in 2010 under this category were three (3) warning device installations recommended by Medina County Task Force; eight (8) light and gate installations where ORDC covered the local share funding; and five (5) crossings upgraded as a result of reports received through AOT. AOT is particularly active and uses an aggressive public service announcement campaign to direct constituents to its website where they may report a dangerous crossing. In FY 2010, 287 AOT reports were received by the ORDC and each report is investigated in depth. AOT reports that did not result in grade crossing improvements either did not qualify for improvements with federal funds or are still under review. An additional crossing was reconstructed and relocated due to a constituent report other than AOT.

Preemption Program

ODOT and the ORDC launched a joint Statewide Railroad Preemption Evaluation Project in 2009. The purpose of the project is to evaluate and prioritize improvements for highway-rail grade crossings and nearby highway traffic signals that are or should be interconnected for the purpose of interrupting the normal sequence of the traffic signal in order to clear vehicular traffic from the crossing area before train arrival at the crossing. It is imperative that these two traffic control systems work together to avoid tragic situations such as the one that arose in Fox River Grove, Illinois, in 1995, where a school bus was struck by a Metra commuter train resulting in seven fatalities. One of the most significant factors in this collision was the failure of the traffic control signal to provide adequate time for the school bus to move clear of the crossing prior to arrival of the train. Similar accidents, albeit with less publicity, continue to happen across the country on a regular basis. ORDC and ODOT's goal is to reduce this type of accident by developing and implementing standards for establishing appropriate railroad preemption timing parameters and making other improvements to the operations and control equipment for both the highway-rail grade crossing and highway traffic signal systems.

The ORDC and ODOT - Office of Traffic Preemption Project is progressing rapidly. The ODOT Traffic Engineering Manual Standard was finalized in March of 2010 and the list of active projects is growing. For Fiscal Year 2010 a total of twelve (12) preemption projects were funded and significant ORDC Safety Section staff time is being utilized on over 20 community projects outlined below:

Allen County, City of Lima, Cable Road & 309-7.05
Butler County, City of Middletown, NS, CJ Corridor
Butler County, City of Oxford
Carroll County, City of Carrollton, SR39-14.58
Cuyahoga County, Cities of Bay Village and Westlake
Cuyahoga County, City of Bedford

Fairfield County, Pickerington Road, CR20, #228945G (IOCR)
Franklin County, Georgesville Road
Franklin County, Waggoner Road, CR106, DOT# 151821V (OHCR)
Hamilton County, City of Deer Park, Galbraith Rd & Blue Ash Rd
Licking County, N. Cedar Street, 517 487U
Licking County, City of Newark, Waterworks Road
Lucas County, Airline Yard, Toledo
Madison County, City of London
Mahoning County, Boardman, SR 224-18.24
Medina County, City of Medina
Montgomery County, City of Dayton, Rosedale Dr.
Montgomery County, City of Dayton Bridge Street, 525848R,
Montgomery County, West Carrollton, Alex Road
Putnam County, Village of Columbus Grove
Stark County, City of Canton
Stark County, Village of Hartville
Summit County, City of Akron, White Pond Drive
Summit County, City of Akron, Hawkins Avenue
Tuscarawas County, CR 80/Ohio Avenue

State Route System Crossing Improvement Program

The ORDC desires to eliminate crossings on Ohio's State Route system that are equipped with passive signage and/or flashing light systems. The ORDC attempts to address a few of these crossings each year when funds permit. While some State and U.S. Routes were addressed in other programs, no crossings were funded as standalone projects under this program in Fiscal Year 2010.

Signal Circuitry Upgrade

Signal circuitry upgrades are commonly funded projects, often in conjunction with warning device projects or corridor projects. These projects equip crossings with state-of-the-art flashing lights and roadway gates. This results in improved functionality of active warning devices enhancing vehicular traffic flow and safety at grade crossings.

VISIBILITY IMPROVEMENTS

Visibility improvements are not currently funded as individual projects using Federal funds. Activities such as sight distance improvements and vegetation clearance are funded as part of individual warning device projects. As standalone projects, improvements of this nature can be funded through the PUCO's State funded Supplemental Assistance Program.

ROADWAY GEOMETRY IMPROVEMENTS

Surface Reconstruction Program

In total, the ORDC has funded ten (10) grade crossing surfaces in FY 2010. Historically, the ORDC has funded the installation of high-type surface material at grade crossings. The Surface Reconstruction Program primarily addressed crossings on the State Route system and was funded by a labor/material split with the operating railroad. The ORDC funds the material costs and the railroad funds the labor portion of the project. This program has been nearly eliminated in FY 2010 due to funds being directed to more critical safety projects. In 2010, the ORDC funded one (1) project in this manner. The remaining surface reconstruction projects were the result of closure negotiations.

Profile Improvement

Activities such as sight distance improvement and elimination of high-profile ("humped") crossings are funded as part of the Supplemental Assistance Program through the PUCO.

GRADE CROSSING ELIMINATION

Grade Crossing Consolidation Program

In the Grade Crossing Consolidation Program, flexible funds providing local incentive for crossing closures are utilized. The ORDC offers a range of incentives. For example, flashing light with roadway gates installation, surface reconstruction, profile improvement, railroad infrastructure improvements that can benefit the highway user, the creation of parallel roadways and cul-de-sacs.

Specifically, in 2010, the ORDC closed four (4) crossings. In exchange for these closures, nine (9) surface reconstruction projects and three (3) warning device projects were funded. The table below summarizes the past ten (10) Fiscal Year's closures:

FISCAL YEAR	Number of Closures
2000	5
2001	28
2002	5
2003	6
2004	6
2005	3
2006	9
2007	20
2008	4
2009	11
2010	4
Total	**101**

In 1999, the State of Ohio began the Rail Grade Separation Program developed under the direction of Governor Taft. This program is a 10-year, $200 million program led by the Ohio Department of Transportation (ODOT) and the Ohio Rail Development Commission (ORDC). Annually, from 2001 through 2010, the ORDC will commit $2 million to this program. The program will address safety, mobility and economic development concerns from Ohio's local communities and elected leaders. The program is intended to address a minimum of 30 crossings during its 10 year duration.

GRADE CROSSING INVENTORY UPDATE

In FY 1999, the ORDC funded the creation of a State of Ohio Grade Crossing Inventory Database. This online tool allows anyone with Internet access to view photographs of the actual crossings as well as query relevant data about the crossing. The PUCO is charged by the Ohio Revised Code (ORC) to maintain the Grade Crossing Inventory for the State of Ohio.

The data is updated to reflect warning device improvements and/or modifications made by the State of Ohio. To ensure this, the ORDC requires that photographs be taken at the final inspection of each federally funded project and ORDC staff enters these photographs along with updated information about the warning devices into the database. In addition, the ORDC continues to collect information related to railroad data from Ohio's carriers. Some updates are the result of the investigation of constituent reports from the Angels on Track Foundation. Occasionally investigations disclose inaccuracies in the inventory data which is subsequently corrected. These efforts require no specific expenditure of funds.

For Fiscal Year 2011, the PUCO and the ORDC intend to identify and fund improvements to the existing database system. The improvements are likely to include the addition of fields for signal preemption studies, modifications to support new FRA requirements for the Crossing Inventory Form, modification of the train count fields, and enabling the Railroads to individually update train counts using a website.

In addition the PUCO and ORDC intend to convert the Railroad Information System (RRIS) Application upgrade to a Web-based solution. The current PUCO-RRIS (version 2) is based on the Microsoft Access 2003 technology platform with database tables stored in a SQL Server 2005 system. The system code uses legacy database technologies such as DAO (Data Access Objects), which are planned for removal in future versions of Windows. The database was not designed for use over the limited bandwidth Wide Area Network (WAN) connections ORDC uses to access the application. Furthermore, outside agencies such as the railroad companies and the FRA can only access a small portion of the data available on the public website (gradecrossings.puc.state.oh.us).

PUCO and ORDC intend to upgrade the application to a web-based system capable of working efficiently using a standard Internet web browser. The primary benefit is greater inter-agency collaboration between PUCO, ORDC, railroad companies, and the FRA. Such benefits could potentially include:

1. The railroads could update train counts using the website rather than submitting the counts to the PUCO for manual entry. PUCO and ORDC may find it beneficial to enable other outside agencies to update information as well. All changes to data would be strictly controlled by security privileges, audit logging, and a review process.

2. More granular access controls would enable the PUCO to grant certain privileges to specific users. The current system only controls if a user has read and write access to an entire module (crossings, accidents, projects, etc.). This would provide flexibility in using staffing resources between the two agencies to maintain the database.

3. The publicly accessible website will be upgraded for a modern look and feel and include integration with the latest location-based technologies such as Google Earth and Maps.

4. The creation of a feature to export data files automatically to the FRA, in compliance with the Railroad Safety Act of 2008.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) PROJECTS

In Fiscal Year 2009 $7,046,923 was awarded from ARRA funds for rail safety projects. $5,008,323 of these funds were obligated in FY 2010 for the projects in the table below. These projects will be complete by September 2012.

PROJECT	Detail
Summit County, City of Macedonia	Summit County, Macedonia, Twinsburg Road, AAR DOT # 503033D, NS
Lorain County, City of North Ridgeville	Chestnut Ridge AAR DOT # 523 844G Root Rd. AAR DOT # 523 845N Maddock Rd. AAR DOT # 523 847C Race Rd. AAR DOT # 523 848J
NS Railroad Grade Crossing Safety Upgrades Montgomery and Warren Counties	Sellars Rd., AAR DOT # 524638X Alex Bell Rd., AAR DOT # 524641F Elm St., AAR DOT # 524645H Fairview Rd., AAR DOT # 524664M Lower Carlisle Rd., AAR DOT # 524667H
Statewide Railroad Crossing Preemption Project	Statewide Signal Preemption
Stark County, Village of Hartville and Surrounding Area	Three (3) W&LE Grade Crossings: POR, TR2, Manning Rd., AAR DOT # 472632K STA, SR619, Maple St., AAR DOT # 472624 T STA, CR56, N. Prospect Ave., AAR DOT # 472625A

OTHER FUNDS

In addition to ORDC and ARRA funds, the ORDC administered $1,286,902 in funds from two (2) Congressional Set-Asides and one (1) Metropolitan Planning Organization (MPO) grant. These funds contributed to eleven (11) light and gate installations/upgrades. ORDC also contributed GRF funds for a warning device project and has contributed matching funds for surface improvements. ORDC has a significant role in over 25 ODOT or local highway projects that impact railroad crossings due to roadway reconfiguration or traffic signal preemption.

Summary of Fiscal Year 2010 Activities

The following table outlines the funds expended in Fiscal Year 2010 on actual projects. Change orders are not included in this Table. This data will be fully reported in the Highway Safety Improvement Program Report submitted in June, 2011.

Category	Number of Crossings	Cost	Functional Class
Active Grade Crossing Equipment Installation/Upgrade	98	$16,084,693	FC6 = 2 FC14 = 5 FC7 = 6 FC16 = 8 FC8 = 3 FC17 = 9 FC9 = 34 FC19 = 31
Roadway Geometry Improvements	10	$2,517,787.04	FC6 = 1 FC7 = 1 FC9 = 2 FC14 = 1 FC19 = 5
Grade Crossing Elimination	4 closures		FC9 = 1 FC19 = 3

01 Rural Interstate
02 Rural Principal Arterial
06 Rural Minor Arterial
07 Rural Major Collector
08 Rural Minor Collector
09 Rural Local
11 Urban Interstate
12 Urban Other Freeway & Expressways
14 Urban Other Principal Arterial
16 Urban Minor Arterial
17 Urban Collector
19 Urban Local

PROJECT METRICS

Evaluation of projects funded under 23 USC 130 for State FY 2007 is attached on a spreadsheet titled "FY 2007 – Projects Funded under 23 USC 130."

CONCLUSION

For State FY 2011, the ORDC plans to continue conducting Grade Crossing Safety Programs in the same manner focusing improvements at the most hazardous crossings utilizing the most cost-effective measures. It is becoming increasingly common for individual projects to cost substantial amounts of money, from as much as $400,000 to $1M. Circumstances causing this cost increase can include increased circuit lengths to accommodate higher train speeds and preemption, overlapping circuits, frequency saturation, extended warning times needed for preemption, increased cost of labor and material, technological advancements and new safety technology. The ORDC continues to focus on partnerships with other government agencies and private industry to arrive at mutually advantageous funding solutions to enhance safety at grade crossings within our communities.

State FY 2010 - Projects Funded Under 23 USC 130

Federal Funding Level in FY 2010 = $25,666,940, 98 Flashing Lights with Roadway Gate Installations, 4 Crossings Closed, 10 Surface Reconstruction Projects

Federal-Aid Project Number	COUNTY	ROUTE (LHA)	US DOT #	FHWA Roadway Functional Classification	Project Type and Description	Crossing Protection	OBLIGATED PROJECT COST/ORDC ESTIMATE TO DATE	EFFECTIVENESS HAZARD PREDICTION RANKING (1/6,100) Before	After**	CRASH DATA BEFORE 2005 FATAL	2005 INJURY	2005 PDO	2006 FATAL	2006 INJURY	2006 PDO	2007 FATAL	2007 INJURY	2007 PDO	2008 FATAL	2008 INJURY	2008 PDO	2009 FATAL	2009 INJURY	2009 PDO
E091(260)	ALL	Defiance Trail, CR50	532738X	09	Active Grade Crossing Equipment Installation/Upgrade	Passive	$190,000.00	192		1														
E100(527)	ASD	CR 1075	503096H	09		Passive	$250,000.00	9																
E100(575)	AUG	Buckland Holden Road, CR 190	258626V	09		Passive	$190,000.00	80																
E091(108)	AUG	Short Road, TR232 (Pusheta Twp.)	155272S	09		Passive	$190,000.00	103															1	
E091(109)	BUT	S. First Street (City of Trenton)	152421F	19		Active/Flashing Lights	$190,000.00	141															1	
E100(576)	CHP	Dallas Road, CR 184	527960J	09		Passive	$190,000.00	53										1						1
E100(526)	ERI	Potter Road, TR 98 (Groton Twp.)	481642P	09		Passive	$190,000.00	145													1			
E100(415)	FAI	Pickerington Rd, CR20 (AOT)	228945G	09		Passive	$250,000.00	171				1												
E100(529)	FAY	Oakland Avenue (Washington C.H.)	151917K	17		Passive	$190,000.00	20																
E100(109)	HAM	S. State Street (Village of Harrison)	524800K	07		Passive	$190,000.00	126										1						
E100(416)	HAN	TR108, Huntington Road (AOT) (Allen Twp.)	513683L	09		Passive	$190,000.00	169			1													

State FY 2010 - Projects Funded Under 23 USC 130

Federal Funding Level in FY 2010 = 25,666,940, 98 Flashing Lights with Roadway Gate Installations, 4 Crossings Closed, 10 Surface Reconstruction Projects

Federal-Aid Project Number	COUNTY	ROUTE (LHA)	US DOT #	FHWA Roadway Functional Classification	Project Type and Description	Crossing Protection	OBLIGATED PROJECT COST/ORDC ESTIMATE TO DATE	EFFECTIVENESS HAZARD PREDICTION RANKING (1/6,100) Before	After**	CRASH DATA BEFORE 2005 FATAL	2005 INJURY	2005 PDO	2006 FATAL	2006 INJURY	2006 PDO	2007 FATAL	2007 INJURY	2007 PDO	2008 FATAL	2008 INJURY	2008 PDO	2009 FATAL	2009 INJURY	2009 PDO
100(183)	HUR	CR150, New State Road (AOT)	001983K	09	Active Grade Crossing Equipment Installation/Upgrade	Passive	$190,000.00	22			1												2	
100(577)	LOG	CR 20	513789G	09		Passive	$190,000.00	46																1
100(649)	MAH	N. Meridian Road, CR 117	262368A	16		Active/Flashing Lights	$220,000.00	157																1
091(090)	MED	Congress Road, CR29	473563H	09		Passive	$190,000.00	216	4273															
091(089)	MED	White Road, TR92 (Westfield Twp.)	473551N	09		Passive	$190,000.00	191	568						1									
091(261)	PER	Adams Street (Village of Corning)	513424A	19		Passive	$190,000.00	201	629											3				
100(590)	POR	TR 9, Etter Road (AOT) (Suffield Twp.)	472642R	19		Passive	$200,000.00	153							1									
100(580)	ROS	E. Second Street (City of Chillicothe)	481384M	19		Active/Flashing Lights	$190,000.00	70																
100(591)	STA	Belden Avenue SE, TR 294 (Canton Twp.; City of Canton)	474543A	09		Passive	$190,000.00	152													1			
091(196)	TUS	Pleasant Valley Road, CR37	510745W	09		Passive	$190,000.00	214																1
091(088)	UNI	Adams Road, CR34	513297B	09		Passive	$190,000.00	92	341															1

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State FY 2010 - Projects Funded Under 23 USC 130

Federal Funding Level in FY 2010 = $25,666,940, 98 Flashing Lights with Roadway Gate Installations, 4 Crossings Closed, 10 Surface Reconstruction Projects								EFFECTIVENESS HAZARD PREDICTION RANKING (1/6,100)		CRASH DATA BEFORE													
										2005			2006			2007			2008			2009		
Federal-Aid Project Number	COUNTY	ROUTE (LHA)	US DOT #	FHWA Roadway Functional Classification	Project Type and Description	Crossing Protection	OBLIGATED PROJECT COST/ORDC ESTIMATE TO DATE	Before	After**	FATAL	INJURY	PDO	FATAL	INJURY	PDO	FATAL	INJURY	PDO	FATAL	INJURY	PDO	FATAL	INJURY	PDO
E100(528)	WAY	Pleasant Home Road, CR 48	473528U	09	Active Grade Crossing Equipment Installation/Upgrade	Passive	$190,000.00	63																1
E091(091)	WAY	Willow Road, CR228	503073B	08		Passive	$190,000.00	55															2	
E091(262)	WOO	W. Millgrove Rd., CR228	228800V	09		Passive	$190,000.00	53	306															1

PDO - Property Damage Only

*Cost Estimate Final Bill Not yet received.

**Ranking/After - Not available until projects constructed.

$4,910,000.00 divided by 25 = $196,400 Average Project Cost

State FY 2007 - Projects Funded Under 23 USC 130

Federal Funding Level in FY 2007 = $16,954,609.25 71 Flashing Lights with Roadway Gate Installations, 20 Crossings Closed, 77 Surface Reconstruction Projects								EFFECTIVENESS HAZARD PREDICTION RANKING (1/6,100)		CRASH DATA BEFORE 1/1/2003 - 2007 (construction)	CRASH DATA AFTER 2007			2008			2009		
Federal-Aid Project Number	COUNTY	ROUTE/LHA	US DOT #	FHWA Roadway Functional Classification	Project Type and Description	Crossing Protection	TOTAL PROJECT COST	Before	After**		FATAL	INJURY	PDO	FATAL	INJURY	PDO	FATAL	INJURY	PDO
:070(633)	ATH	Cross St. Village of Glouster	513472P	19	Active Grade Crossing Equipment Installation/Upgrade	Passive	$133,219.10	12	520	2									
:070(595)	CRA	TR-44 (Biddle Rd.) Polk Twp.	262041C	9		Passive	$187,467.54	5	290	2									
:070(506)	CUY	Carter St. City of Solon	921724N	19		Passive	$183,099.87*	13	3526	1									
:070(743)	CUY	Hummel Rd. City of Brook Park	141939H	19		Active/ FL-LTS Only	$128,205.25	150	312	1									
:070(632)	FAI	TR-227 (Allen Rd.) Violet Twp.	513387A	9		Passive	$134,891.08	80	562	1									
:070(550)	FAY	CR-64 (Jasper Coil Rd.) Fayette Co.	151924V	9		Passive	$152,009.49	39	757	2									
:070(551)	FAY	CR-70 (Yeoman Rd.) Fayette Co.	153758M	9		Passive	$159,049.57	47	829	2									
:070(598)	FRA	Huntley Rd. City of Worthington	518948D	19		Passive	$127,469.19	19	47	3						1*			
:070(596)	FRA	Scioto Darby Rd. City of Columbus	513323N	19		Active/ FL-LTS Only	$127,469.19	55	1477	0									
:070(519)	LOR	CR-38 (West Rd.) Lorain Co.	002036P	9		Passive	$150,453.78	8	62	3									
:050(360)	LUC	Otter Creek Rd. City of Oregon	851548Y	16		Passive	$145,326*	60	808	2									
:070(520)	MAD	TR-96 (Roberts Mill Rd.) Union Twp.	527993W	9		Passive	$117,038.29	4	163	3									
:070(594)	MED	TR-74 (Stone Rd.) York Twp.	142492A	9		Passive	$116,823.47	6	75	3									

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State FY 2007 - Projects Funded Under 23 USC 130

Federal Funding Level in FY 2007 = $16,954,609.25 71 Flashing Lights with Roadway Gate Installations, 20 Crossings Closed, 77 Surface Reconstruction Projects								EFFECTIVENESS HAZARD PREDICTION RANKING (1/6,100)		CRASH DATA BEFORE 1/1/2003 - 2007 (construction)	CRASH DATA AFTER 2007			2008			2009		
Federal-Aid Project Number	COUNTY	ROUTE/LHA	US DOT #	FHWA Roadway Functional Classification	Project Type and Description	Crossing Protection	TOTAL PROJECT COST	Before	After**		FATAL	INJURY	PDO	FATAL	INJURY	PDO	FATAL	INJURY	PDO
E070(401)	MIA	TR-187 (Rusk Rd.) Stauton Twp.	155201V	9	Active Grade Crossing Equipment Installation/Upgrade	Passive	$104,209.70	30	316	1									
E070(630)	SAN	TR-276 (Dunton Rd.) York Twp.	472384N	9		Passive	$139,845.09	10	49	3									
E070(505)	STA	Navarre Rd. City of Massillon	474336F	6		Passive	$141,175.09	9	44	5									
E070(518)	TRU	CR-1088 (Logangate Rd.) Trumbull Co.	544717N	9		Active/ FL-LTS Only	$137,845.26	75	713	2									
E070(597)	UNI	TR-136 (Dogleg Rd.) Paris Twp.	513821X	9		Passive	$118,337.48	48	455	1									
E070(801)	WOO	Lightner St./ Crocker St. Village of Bradner	228813W 228812P	19	Closed/ Upgrade	Passive	$285,141.17*	28	N/A	1									
							*Final cost not yet available									*Crash prior to constr.			

PDO - Property Damage Only

**Ranking/After - Takes into consideration all crash data available at time of calculation.

$2,789.075.61 divided by 19 = $146,793.45 Average Project Cost

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OHIO RAIL DEVELOPMENT COMMISSION

PUBLIC RECORDS ACT POLICY AND PROCEDURES

The purpose of this policy is to ensure that all public records requests are handled in a timely and uniform manner at the Ohio Rail Department Commission ("ORDC").

WHAT IS A PUBLIC RECORD?

A public record is any document, device, or item, regardless of physical form or characteristic, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state, which serves to document the organization, functions, policies, decisions, procedures, operations, and other activities of ORDC.

PROCEDURES FOR HANDLING A PUBLIC RECORDS REQUEST:

1. The ORDC will respond to public records requests whether the request is written or verbal and the ORDC will have a copy of its current retention schedule available.

2. The ORDC will acknowledge receipt of the request in writing no more than three business days after receipt of the request .You may be asked to put your request in writing, however, if you decline, the ORDC will honor your verbal request.

3. If an ORDC employee believes it would help insure the accuracy of the response, you may be asked for identification and the intended use of the information you request, but you are not obligated to give this information.

4. If a request is ambiguous or overly broad, the ORDC will provide you an opportunity to revise the request and explain how the records are maintained and accessed at the ORDC.

5. If the requested record contains information that is exempt from release (as listed below), the ORDC will make available the portion of the record that is not exempt and clearly redact the exempt portion of the record.

6. If a request is denied in whole or in part (by redaction), the ORDC will provide you with an explanation of the denial, which will include the legal authority for the denial.

7. Documents will be promptly prepared and made available for inspection. If you want copies of the documents, the ORDC may respond by electronic mail or other means if you have no objection. Please note that you are permitted to choose to have the public record copies on paper or upon any other medium in which it can reasonably be duplicated.
   If you want hard copies, the standard charge is 5 cents per page. The ORDC may charge 50 cents per page if the copies are larger than 8 ½ x 11. Postage may be included in the charges. The copying fee may be waived for requests under 10 pages. The ORDC may also require prepayment of these costs.

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8. The ORDC will respond to public records requests within a reasonable amount of time. What is a reasonable amount of time depends upon such factors as the extent of the request and physical location of the documents.

EXEMPTIONS FROM THE PUBLIC RECORDS ACT:

The following are examples of records exempt from disclosure under the public records act:

1. Any confidential data or information provided to it by railroads R.C. 4981(D).

2. Trade secrets and other proprietary information received from private corporations or organizations. R.C. 4981(A) (7).

3. Trade secrets, R.C. 1333.61(D).

4. Employee medical records, R.C. 149.43(A).

5. Social Security numbers, R.C. 149.43(A).

6. Certain communications between ORDC employees and an attorney within the staff of ODOT's Office of Chief Legal Counsel, the Attorney General, or special counsel appointed by the Attorney General.

7. Files on current administrative investigations, R.C. 149.43(A) (2).

8. Home addresses and home telephone numbers of state employees per *State ex rel. Dispatch Printing Co. v. Johnson* (2005), 106 Ohio St.3d. 160.

9. Any records created or maintained by ORDC for security purposes and infrastructure records that disclose the configuration of the ORDC's critical systems, including but not limited to, communication, computer, electrical, mechanical, ventilation, water, plumbing systems or security codes. This does not mean a simple floor plan that discloses the physical location of the components of the office, R.C. 149.433.

10. Records, the release of which is prohibited by federal law.

Ohio Rail Development Commission

Public Records Request Procedures

1. The person receiving the request will provide a copy of the request (if made in writing) to the Executive Assistant. If the request is made verbally, the person receiving the request will notify the Executive Assistant.

2. The Executive Assistant will log the receipt of the request, including available information regarding the identity and affiliation of the requestor, and the date the request was received.

3. The Executive Assistant will send a letter to the person making the request informing him/her that it has been received no more than three business days after receipt of the request.

4. The Executive Assistant will identify the individual(s) on staff who may have records that are responsive to the request and will ask those individuals to review their records and promptly provide them to the Executive Assistant.

5. The Executive Assistant will compile the records and notify the requestor that the records are available for inspection. If the requestor wants copies of the documents, electronic documents can be provided if the requestor agrees. If the requestor wants hard copies, the Executive Assistant will make a copy, and, if the request is over 10 printed pages, ask the Fiscal Specialist for an invoice at a standard charge of 5 cents per page (50 cents per page for copies larger than 8.5" x 11"). Except for records that are very large, the Executive Assistant will keep a copy of the request and the response in the Commission's files.

6. The Executive Assistant will update the log when the documents are provided.

Additional information:

- If the Executive Assistant believes that a request is overly broad, that any of the records requested may be confidential, or has any other questions about the request, the Executive Assistant will consult with the Commission's legal counsel. In addition, if the request is from an attorney or law firm, the Executive Assistant shall promptly notify the Commission's legal counsel of such request.

- An individual receiving a request for public records may ask for the requestor's identification and intended use only after informing the requestor that they are not obligated to provide this information.

Updated: August 25, 2010

MEMORANDUM
August 31, 2010

TO: ORDC Commissioners
FROM: Megan McClory
SUBJECT: Finance Report

Accomplishments and Highlights of the Finance Section from July 9, 2010 to August 31, 2010:

1. **Finance Reports.** Staff will prepare statements to reflect current outstanding loans, revenue collection, and project balances after the close of the month. Those statements will be provided at the Commission meeting.

2. **ARRA Projects.** ORDC continues to work with ODOT and the Ohio Division of the Federal Highway Administration to administer approximately $70 million of Ohio's ARRA funds for rail-related projects. All projects have been authorized by the Federal Highway Administration for funding and are in various stages of preparation/bidding/construction/completion.

   Project Updates:
   - Camp Chase Bridge over West Broad Street (Columbus): Construction is under way.
   - Cleveland Commercial Railroad tie replacement: Construction is complete.
   - RJ Corman Western Ohio Lines tie replacement and surface reconstruction: Construction is under way.
   - City of Jackson rail line rehabilitation: Construction is under way.
   - Panhandle Rail Line rehabilitation: Construction is under way. Tie replacement was scheduled to be complete the week of August 23 and rail replacement during the week of August 30. Work in Gould Tunnel is ongoing.
   - Heartland Corridor Extension to Cincinnati (NS): Construction has been authorized; preparatory work was to begin the week of August 30.
   - Wheeling & Lake Erie Railroad rehabilitation: Tie replacement is complete; grade crossing surfaces to be completed in the fall.
   - Airline Yard Intermodal Facility (NS): Material purchasing has been authorized; funding agreements between the City of Toledo, NS, and the Ohio Department of Development are to be completed imminently.
   - West Central Ohio Port Authority (WESTCO) tie replacement, surface reconstruction, and bridge rehabilitation: Tie replacement and surface reconstruction work is complete; bridge work is under construction.
   - City of Medina rail line rehabilitation: Project is expected to go to bid in late October/early November, with construction beginning early in 2011.
   - City of Youngstown/Brier Hill Industrial Park: Project will be re-bid based on reductions in project scope.
   - Toledo Shipyard (Toledo/Lucas County Port Authority) Rail Spur: Construction is complete.
   - General Cargo Facility 1 (Toledo/Lucas County Port Authority) Rail modernization: Construction is underway.

- CSX National Gateway Vertical Clearances: In support of the National Gateway Initiative, there are four roadway bridges being replaced, one roadway bridge being removed, and two railroad interlockings being constructed. ORDC has requested that ODOT take on the administration of the bridge replacement and removal projects.

3. **Loan Updates.** The ORDC loan to Deltech Polymers ($337,457) has closed. The company is financing the reinstallation of a CSX switch to serve its facility in Troy, Ohio. Outstanding ORDC loans to Ashland Railway, the Indiana and Ohio Railway, and Sandusky County-Seneca County-Tiffin Port Authority have been fully repaid.

4. **ORDC Staffing.** Sarah Cunningham, a senior at Walsh University in North Canton, worked with us for six weeks as an intern in the fiscal section. She worked on a number of tasks including a project history report, project file updates, fiscal analysis, and correspondence. We have invited her back during her winter break in December and January. Matt Malich, a senior engineering student at Ohio State University, is working in ORDC's safety section and will continue to work part-time once classes start. Matt is working on reviewing Angels on Track reports, updating the Railroad Information System database, assembling data for a potential corridor initiative, and drafting correspondence.

PROJECT BRIEFING:
COMMISSION SUPPORT AND APPROVAL FOR AN APPLICATION TO THE MID-OHIO REGIONAL PLANNING COMMISSION FOR THE FRONT STREET BRIDGE UNDERCUTTING/DOUBLE STACK CLEARANCE PROJECT

September 8, 2010

Project Costs		Project Benefits
ORDC Grant of MORPC Funds	**$750,000**	**Improves Intermodal Routs/Reduces Congestion**
CSX Contribution	**$250,000**	**Helps Add 70,000 Intermodal Units/Yr. to CSX Buckeye Yard Capacity**
		Lower Trans. Costs for Cen. Ohio Companies
		Significant Positive Environmental Impacts

INTRODUCTION: ORDC's Executive Director submitted an application to the Mid Ohio Regional Planning Commission (MORPC) for $750,000 in Congestion Mitigation & Air Quality (CMAQ) funding for CSX to lower its track on the Columbus Line between Downtown Columbus and Buckeye Yard under the Front Street Bridge. The low clearance on the Front Street Bridge is the only impediment on this section of the Columbus Line that prevents double stack container traffic on the line. Staff is asking Commissioners' approval to administer any CMAQ grant funding MORPC may provide for the Front Street Project.

BACKGROUND:

Brief History of Intermodal Operations at Buckeye Yard: Conrail established a "container on flat car" (COFC)/ "trailer on flat car" (TOFC) facility on the north side of Buckeye Yard on the west side of Columbus in 1985. As intermodal traffic grew in the US, the Buckeye Yard intermodal terminal grew more congested because the available space at the yard to load and unload trains and to store containers and trailers was limited. By the mid-1990's, Conrail was looking for ways to expand the intermodal terminal and approached the Ohio Department of Transportation (ODOT), Division of Rail for assistance with a concept to use an adjacent ODOT salt storage/maintenance facility for intermodal yard expansion. That plan proved to be unfeasible and the subsequent sale of Conrail to CSX and Norfolk Southern intervened.

When CSX took over the intermodal portion of Buckeye Yard operations in 1997, the intermodal facility was already overcrowded. (Norfolk Southern (NS) took over the major classification hump yard portion of Buckeye Yard which is located to the south of the intermodal yard.) Through creative ingenuity, including the storage of containers off site, CSX has been able to grown intermodal traffic at Buckeye to about 150,000 units handled a year from about 100,000 units a year or less handled a year during Conrail operations.

Current CSX Plans to Expand Buckeye Yard Intermodal Facilities: CSX is currently working on a variety of inter-related activities that will increase the capacity and efficiency of its Buckeye Yard intermodal operations. The Front Street clearance project is a small part of the overall plan. Here is a listing of project, costs, and desired outcomes:

Project	Est. Cost	Purpose
1) Expand Buckeye Yard	**$4,000,000**	**Add track; improve cranes & storage methods**
2) Misc. Clearance, Galion – Cols.	**$1,200,000**	**Remove unused overhead structures**
3) Front Street Undercutting	**$1,000,000**	**Lower track under Front Street**
4) N. Baltimore Connection	**$7,000,000**	**Connect Cols. to Tol. Main to Chicago Main**

The map included herein as Exhibit "A" shows the central Ohio rail system where these projects are located.

Project 1: Expand Buckeye Yard: CSX has funding committed to add capacity to Buckeye Yard. CSX is still working out details of the overall project. Part of this project will be to improve on site storage capacity by acquiring larger rubber tired gantry cranes that will be able to stack containers higher than at present. With the new additions, Buckeye Yard would be able to handle about 230,000 units a year of intermodal traffic.

Project 2: Miscellaneous Clearance Improvements on Galion to Columbus Line: CSX does not currently handle double stack trains on its Galion to Columbus Line. There are some minor issues with unused structures (old tipples, signal masts, etc.) that need to be taken down to obtain double stack clearances. (A minimum clearance of 20', 2" is needed for double stack trains.) CSX has committed $1.2 million to eliminate these clearance problems.

Project 3: Front Street Undercutting/Clearance Improvement: The clearance for the Front Street Bridge on the CSX Columbus Line (from Downtown Columbus just north of Buckeye Yard) is currently 19', 5", seven inches too low. CSX has asked ORDC to apply for $750,000 in MORPC funding to lower the track to improve the clearance. CSX has committed to provide the matching $250,000.

CSX is also developing additional projects that will further enhance service between Columbus and the west and fully take advantage of the Columbus – N. Baltimore synergy. ORDC staff is supportive of these additional improvements and will work with CSX as these projects develop.

Improved Routings and Additional Capacity Should Result in 70,000 More Intermodal Units a Year at Buckeye Yard: Three issues currently limit the efficiency of CSX intermodal services at Columbus: 1) capacity on site at Buckeye; 2) routing distances; and 3) congestion on existing routes.

Capacity at Buckeye: The $4 million investment in Buckeye Yard will significantly help with the throughput of container and trailer traffic at that yard. But the improvements are only one part of a larger investment strategy to improve intermodal capabilities in Central Ohio.

Routing Distances: Currently, the CSX route between Buckeye Yard in Columbus and the east and Atlantic ports is Columbus to Marysville to Ridgeway (about 20 miles north of Marysville) to Marion to Galion, the distance of about 100 miles. With the clearance improvements at Front Street and along the Columbus to Galion line, CSX intermodal traffic could be routed directly from Columbus to Delaware to Galion, the distance of about 59 miles, or 41 miles shorter than the current route.

The current routing between Buckeye and North Baltimore would be Columbus to Ridgeway to Sidney to Lima to Deshler (about 12 miles west of North Baltimore) to North Baltimore, a distance of about 150 miles. The routing if and when the N. Baltimore/Galatea Connection is installed would be about 90 miles, or about 60 miles shorter than the current route.

The improved routings would cut hours off the actual transit times of intermodal trains, cutting costs for CSX and saving time for shippers. While rail transit times would be only marginally faster, the extra couple of hours in rail transit time can have a significant impact on the overall transit time of a shipment. Only two extra hours of rail transit time can mean the difference between a shipper hitting the needed time slot to make a connecting train the same day, or having to wait an entire day for the next intermodal train.

Congestion on Existing Routes: Currently all intermodal traffic to and from the north in and out of Buckeye Yard intermodal facilities must traverse the Scottslawn Secondary between Columbus and Ridgeway. CSX officials note that with the propensity of trains to arrive and depart from terminals at about the same time to optimize shipper needs, the intermodal traffic tends to bunch up, sometimes resulting in congestion. To add more trains to the mix at Buckeye to handle more intermodal traffic would mean more congestion and intermodal train delays on the Columbus to Ridgeway route unless there is another route to handle intermodal traffic. The Front Street and Columbus to Galion clearance projects would provide CSX another route for intermodal traffic to and from the east, i.e the direct Columbus – Delaware – Galion route. CSX estimates that about 2 intermodal trains a day would use the direct route.

CSX Intermodal officials project that with the combination of more room at Buckeye, shorter routes, and alternative routes to reduce congestion, intermodal traffic at Buckeye should grow by about 70,000 units a year.

PROJECT DESCRIPTION: An outline of project costs as provided to MORPC in the ORDC application for funding is included herein as Exhibit "B". The project is the lowering of the CSX track under the Front Street Bridge in Columbus. CSX forces and/or outside contractors would perform all work and CSX would be responsible for continued maintenance. ORDC's role in the project would be to administer the project using CMAQ funds provided by MORPC. In effect, ORDC would be working with ODOT officials to procure the funds, with ORDC administering them in a manner similar to how ORDC now administers the Diesel Emission Reduction Grant Program.

WHY ORDC FUNDING IS NEEDED: Without the MORPC funds, CSX officials have indicated that there could be a delay to the project implementation for an undetermined length of time.

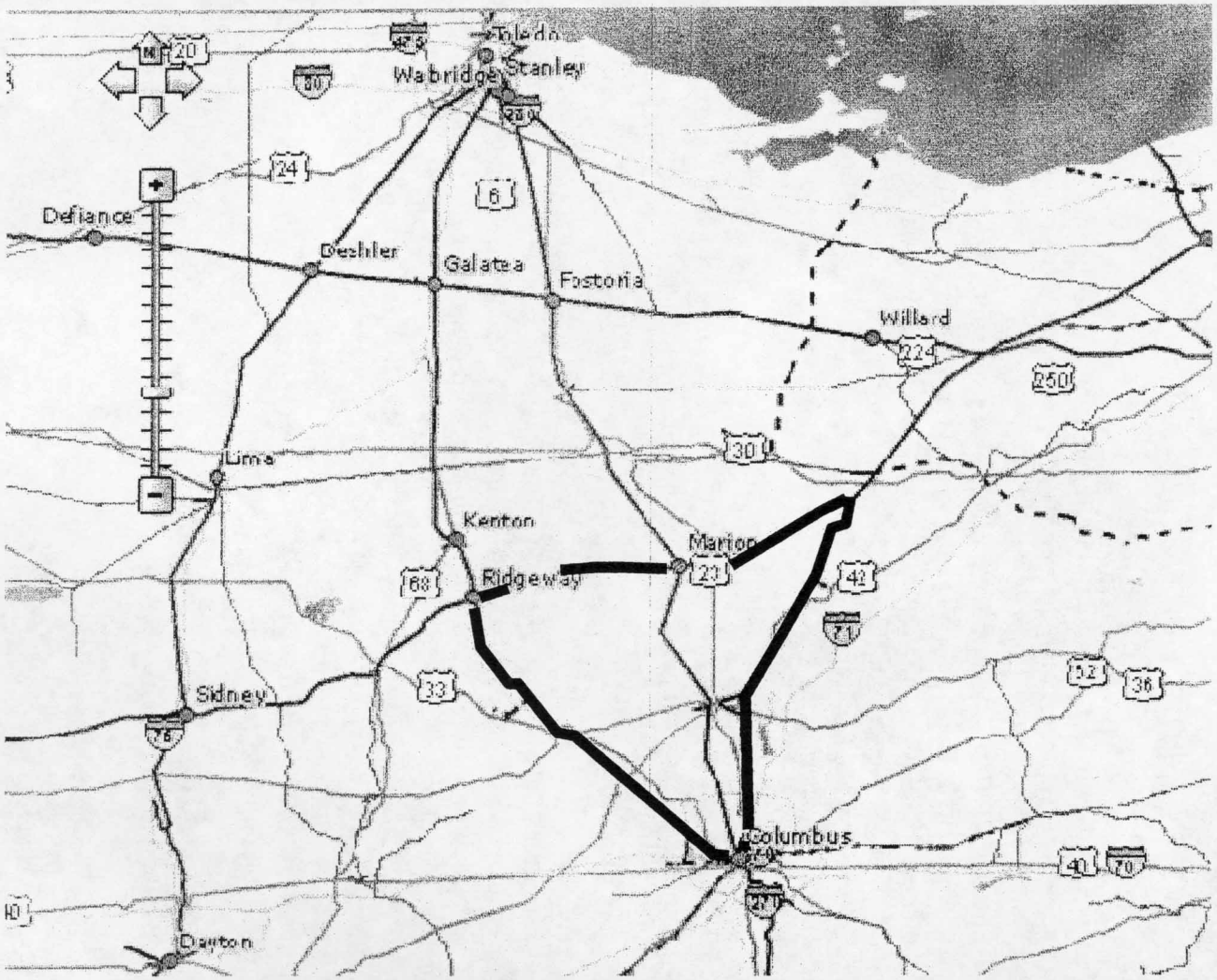
PROJECT BENEFITS:

- From past intermodal projects, ORDC Staff estimates that shippers using the 70,000 additional containers handled at Buckeye Yard will save from $50 to $150 per container compared to an all truck move. Assuming a $100 per container savings, central Ohio companies would save about $7,000,000 a year in transportation costs when the 70,000 in additional units are generated.
- CSX estimates that the shorter, direct Galion to Columbus route (41 miles shorter than the Galion to Ridgeway to Columbus route) will save CSX $378,000 a year in transportation costs and provide significant reductions in fuel use and pollution.
- Switching 70,000 long haul truck moves to truck/rail intermodal moves will have significant positive environmental impacts.

OTHER CONTRIBUTIONS: CSX is committed to providing about $4 million to improve Buckeye Yard, $1.2 million for Galion to Columbus line clearance improvements, and $250,000 toward the Front Street project.

w:CSXFrontStreetClearanceMORPCApplication

Clearing the Columbus Line: Map



"B"

#	Item	(Col. A) SFY Funds Needed	(Col. B) MORPC Federal (≤80%)*	(Col. C) Other Federal	(Col. D) Non-Federal	(Col. E) Phase Total (2010 $)
	Preliminary Engineering (PE) Costs					
MORPC funding for PE will increase matching for other phases. See table instructions.						
47.	PE – Environmental/Prelim. Devel.	2011	37,500		12,500	50,000
48.	PE – Detailed Design	2011	37,500		12,500	50,000
49.	PE **SUBTOTAL**		75,000		25,000	100,000
50.	Percent PE by Source		75%	%	25%	100%
	Right-of-Way (ROW) Costs					
51.	Right-of-Way Acquisition					
52.	Utility Relocation					
53.	ROW **SUBTOTAL**					
54.	Percent ROW by Source		%	%	%	%
	Construction Costs					
55.	Construction Contract	2012	607,500		202,500	810,000
56.	Construction Engineering (typ. 10%)		67,500		22,500	90,000
57.	Construction **SUBTOTAL**		675,000		225,000	900,000
58.	Percent Construction by Source		75%	%	25%	100%
	Other Costs					
59.	Other:					
60.	Other:					
61.	Other:					
62.	Other:					
63.	Other:					
64.	Other:					
65.	Other:					
66.	**Project TOTAL**		750,000		250,000	1,000,000

RESOLUTION 10-09

RE: FRONT STREET DOUBLE STACK CLEARANCE APPLICATION TO MID-OHIO REGIONAL PLANNING COMMISSION

A RESOLUTION TO SPONSOR AND BE THE RECIPIENT OF FUNDS IN SUPPORT OF THE CSX FRONT STREET DOUBLE STACK CLEARANCE PROJECT UNDER CHAPTER 4981 OF THE OHIO REVISED CODE.

WHEREAS, the Ohio Rail Development Commission ("ORDC") created by Chapter 4981 of the Ohio Revised code, has the responsibility of reviewing and making recommendations to ORDC staff with respect to assistance under Chapter 4981 of the Ohio Revised Code (the Act) proposed to be provided; and

WHEREAS, the ORDC has under consideration (i) sponsoring an application for funds to undertake infrastructure improvements to improve the vertical clearance under the Front Street Bridge necessary to allow double stack clearance through Columbus; (ii) serving as the recipient of funds; (iii) executing the project; (iv) ensuring the provision of matching funds; and (v) ensuring maintenance of the project after completion; and

WHEREAS, the ORDC is charged by ORC 4981.03(A)(1) with developing, promoting, and supporting safe, adequate, and efficient rail service throughout the state; and

WHEREAS, the ORDC is authorized by ORC 4981.14(B)(10) to receive and accept from any person, subject to the approval of the governor, grants for or in aid of the construction, repair, renovation, operation, maintenance, or acquisition of rail service projects; and

WHEREAS, ORC 4981.14(B)(19) gives the ORDC the authority to do all acts necessary and proper to carry out the powers expressly granted to the Commission;

NOW, THEREFORE, BE IT RESOLVED that the ORDC of the State of Ohio hereby authorizes the ORDC to serve as the public sponsor for an application to the Mid Ohio Regional Planning Commission for $750,000 in Congestion Mitigation & Air Quality funding to be provided by the ORDC to CSX so the railroad can lower its track on the Buckeye Line between Downtown Columbus and Buckeye Yard under the Front Street Bridge and to administer the project.

Moved By _____
Seconded By _____

Upon roll call, the vote resulted as follows:

James G. Bradley, Chairman	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Barbara Hammontree Bennett	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
Robert Greenlese	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
Solomon Jackson	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
William Lozier	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
Thomas McOwen	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
Jolene M. Molitoris	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
William Murdock for Lisa Patt-McDaniel	_____	yes	_____	no	_____	absent	_____	abstained	____	recused
Larry Sowers	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Herk Wolfe	____	yes	_____	no	_____	absent	_____	abstained	____	recused

ORDC ACTION:

Motion approved _____ Other action _____
Motion denied _____ Date 9/9/2010

CERTIFICATE

I, the undersigned Chairman of the ORDC, hereby certify that the foregoing is a true and correct record of the resolution of said ORDC.

_____ 9/9/2010
James G. Bradley, Chairman Date

OHIO RAIL DEVELOPMENT COMMISSION
APPROPRIATION LEDGER
For Month Ending August 31, 2010

FUND	SAC	FEDERAL STATE/OTHER	ORIGINAL APPROPRIATION	TRANSFERS	UNASSIGNED	ADJUSTED APPROPRIATION	OPEN ENCUMBRANCES	TOTAL DISBURSED	UNENCUMBERED BALANCE	PERCENT UNOBLIGATED	SAC DEFINITION
GRF	4FA5	STATE	1,535,897.00	0.00	139,627.00	1,396,270.00	0.00	0.00	1,396,270.00	100.00%	GRANT (ALL)
GRF	465M	STATE	46,200.00	0.00	4,200.00	42,000.00	16,712.48	7,270.02	18,017.50	42.90%	PERSONAL SERVICE/OTHER
GRF	4651	STATE	627,203.00	0.00	0.00	627,203.00	0.00	88,544.22	538,658.78	85.88%	PAYROLL
GRF	4652	STATE	78,650.00	0.00	7,150.00	71,500.00	0.00	4,488.24	67,011.76	93.72%	OFFICE EXPENSE
	FUND TOTAL		**2,287,950.00**	**0.00**	**150,977.00**	**2,136,973.00**	**16,712.48**	**100,302.48**	**2,019,958.04**	**94.52%**	**FUND TOTAL - GRF**
7002	4FN7	FEDERAL	1,282,800.00	1,851,460.61	0.00	3,134,260.61	124,900.00	0.00	3,009,360.61	96.02%	GRADE CROSSING PAVEMENT
7002	4FP7	FEDERAL	13,000,000.00	4,529,829.58	234,097.96	17,295,731.62	386,079.58	106,186.45	16,803,465.59	97.15%	GRADE CROSSING DEVICES
7002	4SP1	FEDERAL	717,200.00	10,000.00	0.00	727,200.00	0.00	106,412.74	620,787.26	85.37%	GRADE CROSSING SAFETY'S PAYROLL
7002	4SP2	FEDERAL		3,500.00		3,500.00	0.00	0.00	3,500.00	100.00%	GRADE CROSSING SAFETY'S TRAVEL
	FUND TOTAL		**15,000,000.00**	**6,394,790.19**	**234,097.96**	**21,160,692.23**	**510,979.58**	**212,599.19**	**20,437,113.46**	**96.58%**	**FUND TOTAL - 002**
4N40	6FC9	OTHER	1,905,600.00	0.00	0.00	1,905,600.00	0.00	0.00	1,905,600.00	100.00%	RAIL TRAN - LOANS
4N40	6FD9	STATE	764,300.00	0.00	0.00	764,300.00	0.00	0.00	764,300.00	100.00%	PANHANDLE LEASE PAYMENT
4N40	6111	STATE	205,900.00	0.00	0.00	205,900.00	0.00	30,079.08	175,820.92	85.39%	PAYROLL(PROPERTY MGNT)
	FUND TOTAL		**2,875,800.00**	**0.00**	**0.00**	**2,875,800.00**	**0.00**	**30,079.08**	**2,845,720.92**	**98.95%**	**TOTAL - OTHER ASSISTANCE**
	GRAND TOTAL		**20,163,750.00**	**6,394,790.19**	**385,074.96**	**26,173,465.23**	**527,692.06**	**342,980.75**	**25,302,792.42**	**96.67%**	

Revenue Received FY 2011
August 2010

Name	CT #	Invoice #	Refund 7002/GRF	Refund 4N4(53490)	Gas & Oil Leases, Royalties and Other - 4N4 (49995)	ORDC Loan Payment - 4N4 Fees (29991)	Princ. (79955)	Inter. (79956)	Running Total
I&O (FCP)	Electronic Transfer						4,377.92	12.15	68,232.02
Lancaster Port Authority	Electronic Transfer						3,982.90	162.37	72,377.29
MIC	Electronic Transfer						5,050.42	663.70	78,091.41
Maumee & Western RR	Electronic Transfer						2,385.88	72.59	80,549.88
SST Port Authority	Electronic Transfer						5,090.12	11.28	85,651.28
Village of Leipsic	Electronic Transfer						10,576.92	0.00	96,228.20
WESTCO #1	Electronic Transfer						3,319.40	849.43	100,397.03
WESTCO #2	Electronic Transfer						3,338.30	0.00	103,735.33
WESTCO #3	Electronic Transfer						4,761.90	0.00	108,497.23
Maumee & Western (HotStart)	Electronic Transfer						1,500.00	0.00	109,997.23
MFC Drilling	8	RA000310			289.83				110,287.06
Genesee & Wyoming	8	Apex - June			10,450.00				120,737.06
Resource Energy	9				52.16				120,789.22
Crane Building Products	10	(grant payback)	80,000.00						120,789.22
Portage County (Solide Waste)	11	RA000110					1,364.31	10.26	122,163.79
Portage County (Solide Waste)	12	RA000710					1,366.01	8.56	123,538.36
Genesee & Wyoming	13	RA001010			2,500.00				126,038.36
Genesee & Wyoming	13	Apex - July			10,650.00				136,688.36
EnerVest Operating (formerly-Great Lakes Energy Partners)	14	FY2010/RA0093			250.00				136,938.36
		Monthly Total	80,000.00	0.00	24,191.99	0.00	47,114.08	1,790.34	73,096.41
		Grand Total	80,000.00	0.00	31,592.88	0.00	101,678.32	3,667.16	136,938.36

ORDC - Loan Payback (Active Loans)
September 1, 2010

	Loans	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	App, Loan, Interest & Admin. Fees	Total Payments
FY03 Portage Cty Solid Wst Mgmt. *	$80,000	$9,622							***$3,279***	***$83,279***
*FY04 Columbiana County Port Authority **	*$2,098,047*	*$433,408*	*$216,704*						***$110,059***	***$2,208,105***
FY04 Maumee & Western *	$199,088	$29,502	$17,209						***$8,460***	***$207,548***
FY05 Seneca-Sandusky-Tiffin Port Auth**	$290,000	$10,203							***$16,267***	***$306,267***
FY05 Ashland RW (Mansfield Yard Rehab)**	$500,000	$8,911							***$41,285***	***$541,285***
FY05 I&O (Fulton County Processing, Ltd)**	$242,335	$8,780							***$24,266***	***$266,601***
FY07 Marion Industrial Center *	$273,000	$68,569	$68,569	$22,856					***$32,078***	***$305,078***
FY07 WESTCO *	$308,000	$50,026	$50,026	$50,026	$50,026	$25,013			***$35,760***	***$343,760***
FY08 WESTCO (Sugar Creek Bridge) *	$280,417	$41,885	$43,189	$43,189	$43,189	$43,189	$17,995		***$20,147***	***$300,565***
FY07 Village of Leipsic *	$825,000	$131,318	$135,713	$135,713	$135,713	$135,713	$67,857		***$52,702***	***$877,702***
FY09 Lancaster Port Authority *	$145,163	$49,743	$29,017						***$4,911***	***$150,074***
FY09 WESTCO (Springfield/WCH) *	$400,000	$57,143	$60,079	$60,345	$60,345	$60,345	$60,345	$5,029	***$20,513***	***$420,513***
FY09 Maumee & Western (HotStart) *	$90,000	$18,031	$18,397	$18,700	$18,700	$17,142			***$3,871***	***$93,871***
FY06 Harrison Ethanol ***	$500,000									
FY06 Wheeling & Lake Erie ***	$150,000									
FY07 Wheeling & Lake Erie ***	$378,600									
FY08 MGQ, Inc. ***	$300,000									
FY08 City of Jackson ***	$300,000									
FY10 Ashland Railway ***	$280,000									
FY10 Deltech Polymer ***	$337,457									
FY10 New Horizons Baking Company ***	$50,000									
	$8,027,107	**$917,141**	**$638,904**	**$330,831**	**$307,974**	**$281,403**	**$146,198**	**$5,029**	***$373,597***	***$6,104,647***

Loan Amount Received to Date: **$142,009**
Loan Balance Due: **$775,132**

*Loans Active
**Loans Paid Off
***Loans in Process

PROJECT BRIEFING:

ADMINISTRATIVE COSTS FOR FHWA ADMINISTRATION OF $98 MILLION TIGER GRANT AWARD

August 31, 2010

INTRODUCTION: ORDC Staff requests Commission approval to receive a grant from CSX Transportation and then grant those funds to the Federal Highway Administration's Eastern Federal Lands Highway Division to administer the $98 million US DOT award to the National Gateway Project.

NATIONAL GATEWAY TIGER GRANT BACKGROUND: The federal stimulus package passed in February of 2009 contained an allocation of $1.5 billion dollars for the Secretary of Transportation to make grants for capital investments in surface transportation infrastructure projects. The Transportation Investment Generating Economic Recovery (TIGER) grant funds were awarded in early 2010 through a competitive selection process.

The ORDC served as the lead agency for a TIGER grant application for the National Gateway, and the project was awarded a $98 million grant for Phase I to connect terminals in Northwest, Ohio and Chambersburg, Pennsylvania with a fully double stacked cleared rail network. The National Gateway initiative consists of more than $842 million in rail infrastructure and intermodal terminal projects along three corridors: I-70/I-76/I-80 between Washington, D.C. and Northwest Ohio, the I-95 corridor between North Carolina and Baltimore, and the I-40 corridor between Wilmington and Charlotte, North Carolina.

The Ohio components of the project include $60 million in clearance projects and $175 million in terminal capacity development. The 18 clearance projects include bridge removals and/or replacements, bridge raisings, and track lowerings. CSX proposed that the state and federal governments split the cost of the clearance projects at $30 million each. State funding of $30 million was committed by the Ohio Department of Transportation with a portion of its American Reinvestment and Recovery Act allocation ($20 million) and by the Ohio Department of Development's Logistics and Distribution Stimulus Program ($10 million). A portion of the $98 million TIGER award will fund the remaining clearance projects in Ohio. CSX is nearing completion of its new $175 million intermodal terminal in Northwest Ohio.

PROJECT ADMINISTRATION/STAFF REQUEST FOR COMMISSIONER APPROVAL: In September of 2009, by Resolution 09-19, the Commission formally supported the National Gateway application for TIGER Grant funds and empowered ORDC Staff to take actions necessary to apply for and administer such funds. Since the award was announced, ORDC Staff has worked closely with CSX Transportation, Ohio Department of Transportation staff, the partner states along the corridor, and the US DOT modal agencies, the Federal Highway Administration (FHWA) and the Federal Railroad Administration (FRA), to develop a plan for project implementation. The parties are now in the process of finalizing agreements in

which the Eastern Federal Lands Highway Division of FHWA (EFLHD) will administer the $98 million TIGER Award. However, EFLHD does not have adequate resources to administer a project of this magnitude. CSX Transportation has agreed to contribute to EFLHD an amount sufficient to cover its costs, but the federal agency cannot directly accept private funds from CSX. ORDC is stepping in to receive a grant from CSX Transportation in the amount of $1,125,000 and then to grant those funds to EFLHD for project implementation. After researching this issue, the project team has determined that ORDC is the only entity with legal authority to enter into these agreements, and that this arrangement is the best way to ensure that the full $98 million TIGER Award can be used for capital construction costs.

ORDC staff has submitted a request to the State Controlling Board that will be considered on Monday, September 13, 2010, to increase the spending authority in the Rail Development Fund (Fund 4N40) by $1,125,000. This will allow ORDC to complete this transaction without impacting the Commission's ongoing ability to issue loans for rail development projects.

Because the receipt of the CSX grant and the subsequent ORDC grant to EFLHD involve a financial transaction, staff is requesting specific approval from the Commission to enter into this arrangement.

RESOLUTION 10-10
RE: EASTERN FEDERAL LANDS HIGHWAY DIVISION GRANT FOR TIGER AWARD ADMINISTRATION

A RESOLUTION DETERMINING THE APPROPRIATENESS OF ASSISTANCE PROPOSED TO BE PROVIDED TO THE EASTERN FEDERAL LANDS HIGHWAY DIVISION OF THE FEDERAL HIGHWAY ADMINISTRATION UNDER CHAPTER 4981 OF THE OHIO REVISED CODE.

WHEREAS, this Commission as the Ohio Rail Development Commission ("ORDC") created by Chapter 4981 of the Ohio Revised Code, has the responsibility of reviewing and making recommendations to ORDC staff with respect to the assistance under Chapter 4981 of the Ohio Revised Code (the "Act") proposed to be provided; and

WHEREAS, the ORDC has under consideration the provision of assistance under the Act to the Eastern Federal Lands Highway Division of the Federal Highway Administration ("EFLHD-FHWA"); and

WHEREAS, the ORDC staff has submitted to this ORDC the determination of the Executive Director of the ORDC and the facts upon which such determination is based, that the proposed assistance will conform to the requirements of the Act and the terms of the proposed assistance; and

WHEREAS, the ORDC has reviewed such submissions and discussed them with the Executive Director and staff of the ORDC the proposed assistance; and

WHEREAS, on the basis of such review and discussions, the ORDC has determined that the provision of assistance to the EFLHD-FHWA, as set forth in the ORDC staff's submissions, is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the ORDC of the State of Ohio:

Section 1. That the ORDC determines that the assistance proposed to be provided under the Act to assist the EFLHD-FHWA with the Rail Service Project (as defined below) is appropriate.

Section 2. That the ORDC approves the proposed assistance to the EFLHD-FHWA, the nature, amount and terms of which are summarized in Exhibit "A" attached hereto.

Moved By _____
Seconded By _____

Upon roll call, the vote resulted as follows:

James G. Bradley, Chairman	____ yes	____ no	____ absent	____ abstained	____ recused
Barbara Hammontree Bennett	____ yes	____ no	____ absent	____ abstained	____ recused
Robert Greenlese	____ yes	____ no	____ absent	____ abstained	____ recused
Solomon Jackson	____ yes	____ no	____ absent	____ abstained	____ recused
William Lozier	____ yes	____ no	____ absent	____ abstained	____ recused
Thomas McOwen	____ yes	____ no	____ absent	____ abstained	____ recused
Jolene M. Molitoris	____ yes	____ no	____ absent	____ abstained	____ recused
William Murdock for Lisa Patt-McDaniel	____ yes	____ no	____ absent	____ abstained	____ recused
Larry Sowers	____ yes	____ no	____ absent	____ abstained	____ recused
Herk Wolfe	____ yes	____ no	____ absent	____ abstained	____ recused

ORDC ACTION:

Motion approved _____
Motion denied _____

Other action _____
Date 9/9/2010

CERTIFICATE

I, the undersigned Chairman of the ORDC, hereby certify that the foregoing is a true and correct record of the resolution of said ORDC.

_____
James G. Bradley, Chair

9/9/2010
Date

EXHIBIT A

A grant to EFLHD-FHWA pursuant to Section 4981.032 of the Ohio Revised Code in the amount of up to One Million One Hundred Twenty Five Thousand Dollars ($1,125,000) (the "ORDC Grant") to administer the Transportation Investment Generating Economic Recovery Grant ("TIGER Grant") awarded by the United States Department of Transportation to Phase One of the National Gateway Project in Ohio, Pennsylvania, Maryland, and West Virginia ("Rail Service Project"). Grant disbursements are subject to the receipt by ORDC of supporting funds from CSX Transportation. The terms of the ORDC Grant shall be determined by the Executive Director of ORDC.

PROJECT BRIEFING:
USING REMAINING FUNDS FROM RICHLAND TUNNEL PROJECT TO AUGUMENT THE "ARRA" MAINLINE PROJECT ON THE CITY OF JACKSON RAIL LINE

August 31, 2010

Project Costs		Project Benefits
*Vegetation Control	$18,668	* Facilitates Successful Mainline Rehab
* Derailment Repair	$5,341	
* Purchase 1,000 Tie Plates	$5,000	

INTRODUCTION: Through a letter of August 19, 2010, ORDC's Executive Director committed to the City of Jackson that ORDC would allow the City to use up to $24,933 in funds remaining in the Richland Tunnel portal repair project for brush cutting, derailment repairs, and purchase of tie plates to facilitate and augment a federal American Recovery and Reinvestment Act (ARRA) stimulus project which ORDC is administering on the Jackson Line. Because the project funding is part of a past project that required a resolution and vote of the full Commission, ORDC Staff is seeking Commissioners' approval of changes (Amendment 3) to ORDC Resolution 08 – 08 to allow all remaining funds approved in May, 2008, i.e. up to $24,933, to be used for vegetation control and derailment repair work as described herein.

BACKGROUND:

Brief History of Resolution 08 – 08: In May, 2008, ORDC Commissioners approved through Resolution 08 - 08 a grant of up to $350,000 to the City of Jackson to make needed repairs (mainly ties and ballast) on various portions of the City owned, US Rail served rail line. The final amount of the grant was dependent on the funds that remained in the ORDC General Revenue Fund (GRF) account at the end of Fiscal Year 2008.

In November, 2008, it had been determined that only $324,000 in FY 2008 remained and would be eligible for the City of Jackson project. At the November, 2008 Commission Meeting, ORDC Commissioners approved shifting the $324,000 in GRF funding from track work to the Richland Tunnel portal project and the repair of a bridge at MP 92. (Amendment 1)

In May, 2009, the Commission again amended Resolution 08 – 08 to commit all $324,000 in grant funds available to repair of the Richland Tunnel portal. (Amendment 2)

Current ARRA Project & Supplemental Work Needs: A map of the Jackson Line is included as Exhibit "A". A schematic showing current and former shippers in included as Exhibit "B".

The Richland Tunnel portal project was successfully completed earlier this year. The project came in under budget by $24,933.

Recently, the City of Jackson awarded a contract to make mainline repairs totaling $1,409,512. ORDC is administering the project using federal ARRA funds. A copy of the City's Scope of Work for the project is included as Exhibit "C".

The City contacted ORDC with three issues that were hampering the ability of the City's contractor to work on the ARRA project: 1) the lack of tie plates; 2) overgrown vegetation that prevented effective track work, especially lining of track and use of the ballast regulator; and 3) derailment damage that compromised the contractors ability to get its equipment to a work location on the AluChem spur. ORDC's Executive Director agreed to use funds remaining from the Richland Tunnel project for the work needed to facilitate and augment the ARRA project.

RAIL PROJECT: The Executive Director's commitment letter to the City allowed the City to use the contractor now working on the ARRA project for the auxiliary work. The cost of the rail project to use the up to $24,933 in re-allocated funds is estimated as follows:

Repair AluChem Spur Derailment	**$5,341**
Remove Vegetation	**$18,668**
Total	**$24,009**

The City has already purchased some of the needed tie plates and many have been installed. ORDC Staff recommends that the City be responsible for the purchase of all needed tie plates and that ORDC accept the tie plate purchase as an in kind matching share to ORDC funds. ORDC Staff recommends that ORDC pay for all derailment repair and brush cutting work up to the available $24,933. The City will be responsible for covering any cost overruns and for continued maintenance of the Jackson Line track.

WHY ORDC FUNDING IS NEEDED: Without the additional ORDC funds, the additional work would not get done.

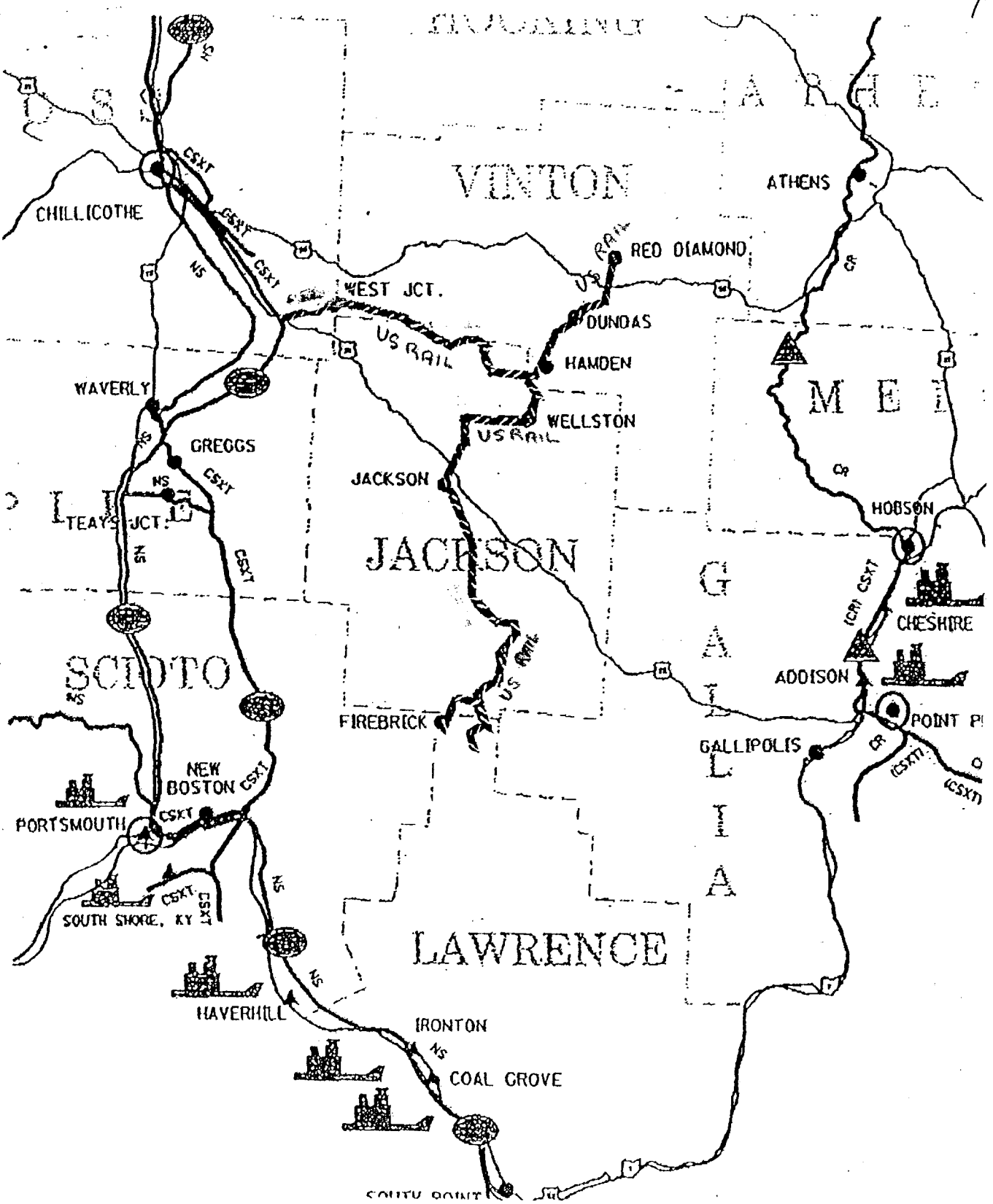
OTHER CONTRIBUTIONS: The City of Jackson will supply up to $5,000 in tie plates as an in-kind match.

PROJECT BENEFITS: The effectiveness of the $1.4 million ARRA project is protected and augmented.

SPECIAL CONTINGENCIES: 1) Costs for the additional work using the $24,933 shall not exceed costs of work in the ARRA bid documents where there are comparable work items. 2) The City shall purchase all needed tie plates as an in-kind contribution.

w:Jackson,RemainingTunnelMoneytoARRAProject

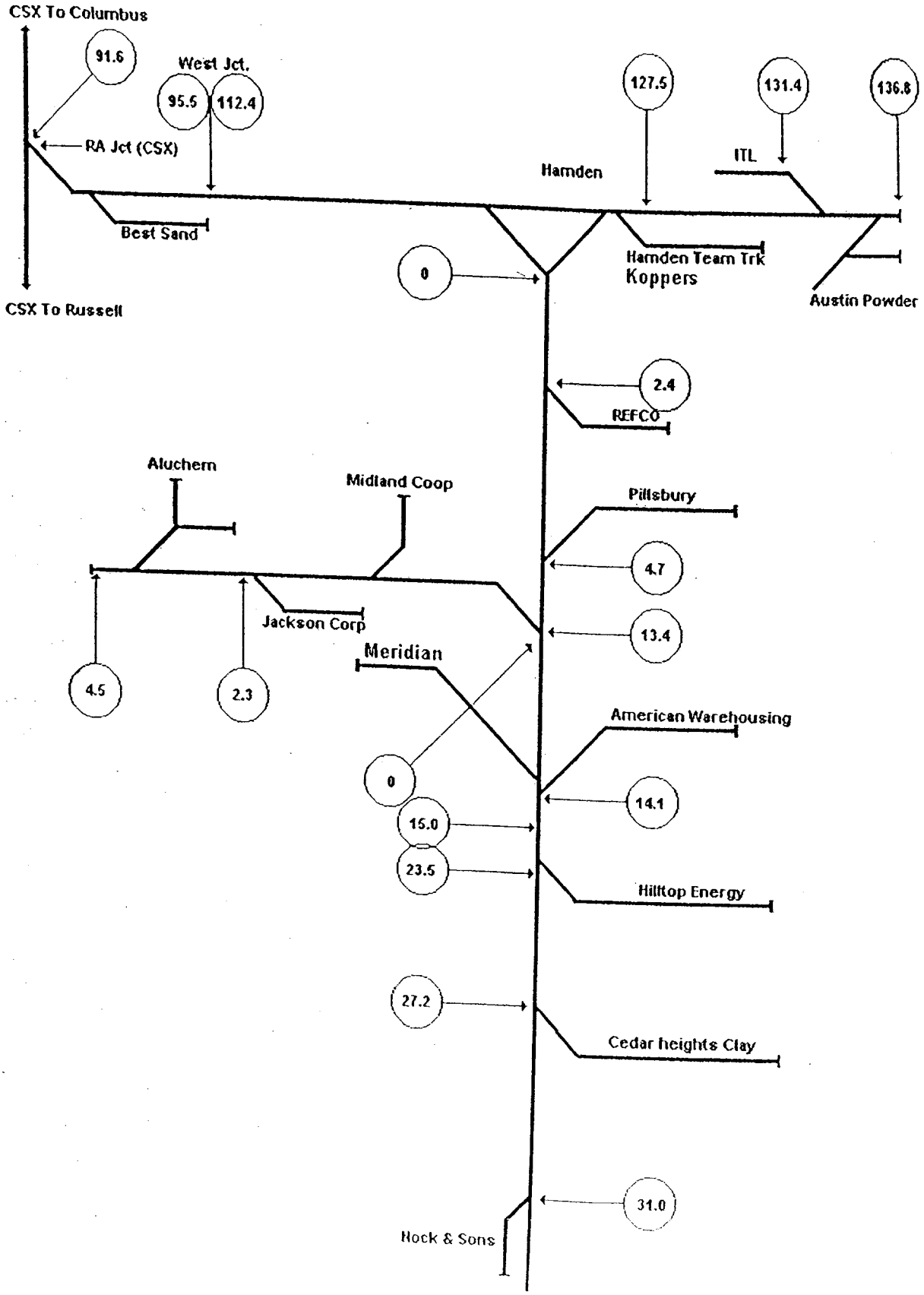
"A"



— City of Jackson Owned Rail Line/ US RAIL

"B"

Customer Locater Map



"C"

Scope of Work

All workmanship shall to conform to not less than the latest AREMA standards and specifications.

Crossties - The crossties shall be 7" industrial grade, oak and mixed hardwoods, 100% end plated, 7lbs or refusal of creosote installed using spikes – 5/8" x 5-1/2", which shall be new and American made, 2 spikes per tie plate on tangent track, 3 spikes per tie plate on curved rail over 2°, all removed crossties and tie debris over 4" overall shall be removed off of the property and disposed of at an approved site. All to be paid for in the installed crosstie unit price.

Ballast - shall be #4 lime stone from a stone yard that the #4 has been approved by the ODOT test lab.

Missing, worn or bent Tie Plates will be furnished by US Rail from their stockpiles

Cribbing shall be done at the direction of the inspector.

Raise, Line & Tamp, every tie shall be tamped, the track shall not be raised unless necessary, all work shall be done in a workmanship manner.

Rail shall be fit 127lb or greater, American made with tie plates to match; new spikes; where spikes have been removed tie plugs shall be used, the tie plugs will be new, treated plugs; new rail anchors to match, 4 anchors on every 4th tie; compromise joints all to be provided by the contractor all to be provided as part of the unit price for the rail.

Rail Anchors, New, 85/90lb to fit rail, American Made (Aluchem Line)

FURNISH AND INSTALL RAIL ANCHORS
This item shall include all material, labor, and equipment required to furnish and install rail anchors. Rail anchors shall be drive on or spring type, of approved design, conforming to AREMA recommendation found in Chapter 5, Part 7. New anchors shall be used. When used with relay rail, the anchors must be sized to fit the rail base. The standard AREMA recommended rail anchor patterns will be used for this project and final placement will be coordinated with WESTCO or their field representative. At a minimum, there shall be sixteen (32) anchors per 39 feet rail length, box anchoring eight ties. On CWR (continuous welded rail) there shall be box anchored on every other tie throughout the entire section of CWR. At road crossings 50 ft. wide or greater shall be box anchored on 130 consecutive ties in each direction.

REGAUGE TRACK
This item shall include all material, labor, and equipment required to adjust track gauge. The City's and /or railroads engineer in coordination with the CONTRACTOR may discover track gauge that is deficient and require adjustment. These locations may be field marked by the Cities and/or railroads engineer. Track gauge will be adjusted in accordance with AREMA specifications and

the standard track spiking patterns attached. Associated materials required to make adjustments to track gauge will be incidental to this bid item.

FURNISH AND INSTALL RAIL ANCHORS

This item shall include all material, labor, and equipment required to furnish and install rail anchors. Rail anchors shall be drive on or spring type, of approved design, conforming to AREMA recommendation found in Chapter 5, Part 7. New anchors shall be used. When used with relay rail, the anchors must be sized to fit the rail base. The standard AREMA recommended rail anchor patterns will be used for this project and final placement will be coordinated with the City's and/or US Rail's field representative. At a minimum, there shall be sixteen (32) anchors per 39 feet rail length, box anchoring eight ties. On CWR (continuous welded rail) there shall be box anchored on every other tie throughout the entire section of CWR. At road crossings 50 ft. wide or greater shall be box anchored on 130 consecutive ties in each direction.

Primary Bid

Priority 1Mainline (Parkersburg Sub)

Furnish & Install 5,510 crossties or 700 per mile (See below)

Dispose of 5,510 crossties off site

Raise, Line and Tamp 8.45 miles of track (See Below)

Crib 200 feet of track as need at the direction of the engineer

Tie Inventory	M.P.	To M.P.	Length (Miles)	Tie Quantity	Surfacing (Miles)
MAINLINE					
	91.6	95.5	3.9	2,730	3.90
	115.2	116.1	0.9	630	0.90
	119.9	120.2	0.3	210	0.30
	120.6	121.3	0.7	490	0.70
	122			50	0.25
	122.2	122.3			0.10
	122.5	123.0	0.5	350	0.50
	123.6	123.9			0.30
	128	129.5	1.5	1,050	1.50
				5,510	8.45

Aluchem Spur – Priority 2

Furnish & Install 3,360 crossties or 700 per mile

Furnish & Distribute 1,920 tons of #4 limestone ballast or 400 tons per mile

Raise, Line and Tamp 4.8 miles of track

Furnish and Install 2,900 Lineal Feet 127# or better Fit Rail at M.P. 2 – M.P. 2.27 ± (See specifications)

Furnish and Install 1,512 fit tie plates to match rail above

Furnish and Install 12,600 new 85and 90 lb rail anchors, box every 4th tie

Crib 300T.F. per the engineer's direction

Re-gauge track 500 T.F. per engineer's direction

Coalton Curve M.P. 7.33 to M.P.7.75 - Priority 3

Furnish and Install 4,400 Lineal Feet 127# or better Fit Rail

Furnish and install 4 – fit compromise joints 100RB/to fit the rail above

Furnish & Install 300 crossties

Furnish & Distribute 168 tons of #4 limestone ballast

Dispose of 300 crossties off site

Furnish and install 7 kegs of spikes

Furnish and install 10 bundles of tie plugs

Raise, Line and Tamp 0.42 miles of track

Furnish and Install 2,352 fit tie plates to match rail above

Regauge 200 T.F. of track at the direction of the City's and/or railroad's engineer

Alternative Bid

Branch Line (Portsmouth Sub) - Priority 4

Furnish & Install 2,805 crossties

Furnish & Distribute 1,640 tons of #4 limestone ballast or 400 tons per mile

Raise, Line and Tamp 4.10 miles of track

Repair S.R. 93 Rail Crossing M.P. 0.75

Ditching M.P. 8.8 to M.P. 9.2 = 0.8 mile

Tie Inventory	M.P.	To M.P.	Length (Miles)	Tie Quantity	Surfacing (Miles)
Branch Line					
	0.5	2.0	1.5	1,050	1.50
	2.6	2.9	0.3	210	0.30
	8.1	8.2		5	0.10
	8.8	9.2	0.4	280	0.40
	11	12.4	1.4	980	1.40
	Jackson Yard		0.4	280	0.40
				2,805	4.10

S.R. 93 Road Crossing, remove panels and lag screws, taking care not to damage. Unfasten rail, turn over ties, respike rail, furnish new spikes, add stone as needed, raise, line and tamp, replace panels. If lag screws are bent, damaged or missing furnish new lag screws. All lag screws must torqued in, not driven. Raise line & tamp 200' each side of crossing, adding stone as needed. RRIS Crossing information Record ID: 14445

The ditches must be cut to allow the water to drain. Ditching shall be at the direction of the City's and/or railroads engineer. Ditching shall be done 0.4 mile on each side of the track.

Branch Line (Portsmouth Sub) - Priority 5

M.P. 5.0 – M.P. 5.2

Furnish & Install 140 crossties

Furnish & Distribute 80 tons of #4 limestone ballast or 400 tons per mile

Raise, Line and Tamp 0.2 miles of track

Branch Line (Portsmouth Sub) - Priority 6

M.P. 10.7 – M.P. 10.09

Furnish & Install 140 crossties

Furnish & Distribute 80 tons of #4 limestone ballast or 400 tons per mile

Raise, Line and Tamp 0.2 miles of track

Repair S.R. 93 Rail Crossing M.P. 0.75

The total of the Alternative Bids will be added to the total of the Primary Bid for the purposes of awarding the bid. The City of Jackson will have the option of awarding any or all the alternative bids. The purpose of this is to expend all of the monies available in the ARRA Grant without exceeding that limit.

Any excess or unused materials shall be returned to the City.

A line item credit for scrap rail and OTM shall be credited on the bid sheet.

Note: the contractor shall be afforded track time Friday, Saturday, Sunday, and Monday of each week only on rare occasions will this rule be violated by the railroad.

RESOLUTION 10-11

RE: CITY OF JACKSON RAIL LINE REHABILITATION PROJECT LOAN & GRANT THIRD AMENDMENT TO RESOLUTIONS 08-08, 08-24, and 09-14

A RESOLUTION MODIFYING THE ASSISTANCE PROPOSED TO BE PROVIDED TO THE CITY OF JACKSON UNDER CHAPTER 4981 OF THE OHIO REVISED CODE.

WHEREAS, this Commission as the Ohio Rail Development Commission ("ORDC") created by Chapter 4981 of the Ohio Revised Code, has the responsibility of reviewing and making recommendations to ORDC staff with respect to the assistance under Chapter 4981 of the Ohio Revised Code (the "Act") proposed to be provided; and

WHEREAS, the ORDC has under consideration a second modification of the provision of assistance under the Act to the City of Jackson (the "City"); and

WHEREAS, the ORDC staff has submitted to this ORDC a second modification to a prior request for assistance submitted by the City; the determination of the Executive Director of the ORDC and the facts upon which such determination is based, that the second modification to the proposed assistance will conform to the requirements of the Act and the terms of the second modification of the proposed assistance; and

WHEREAS, the ORDC has reviewed such proposed modifications and discussed them with the Executive Director and staff of the ORDC; and

WHEREAS, on the basis of such review and discussions, the ORDC has determined that the provision of assistance to the City, as set forth in the ORDC staff's submissions, is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the ORDC of the State of Ohio:

Section 1. That the ORDC determines that the second modification to the assistance proposed to be provided under the Act to assist the City with the Rail Service Project (as defined below) is appropriate.

Section 2. That the ORDC approves the proposed modification of assistance to the City, the nature, amount and terms of which are summarized in Exhibit "A" attached hereto.

Section 3. That the ORDC hereby amends Resolutions 08-08, 08-24 and 09-14 as set forth in Exhibit A.

Moved By _____

Seconded By _____

Upon roll call, the vote resulted as follows:

James G. Bradley, Chairman	____	yes	_____	no	_____	absent	____	abstained	____	recused
Thomas McOwen	____	yes	_____	no	_____	absent	____	abstained	____	recused
Jolene M. Molitoris	____	yes	_____	no	_____	absent	____	abstained	____	recused
Barbara Hammontree Bennett	____	yes	_____	no	_____	absent	____	abstained	____	recused
Robert Greenlese	____	yes	_____	no	_____	absent	____	abstained	____	recused
William Murdock for Lisa Patt-McDaniel	____	yes	_____	no	_____	absent	____	abstained	____	recused
Solomon Jackson	____	yes	_____	no	_____	absent	____	abstained	____	recused
William Lozier	____	yes	_____	no	_____	absent	____	abstained	____	recused
Larry Sowers	____	yes	_____	no	_____	absent	____	abstained	____	recused
Herk Wolfe	____	yes	_____	no	_____	absent	____	abstained	____	recused

ORDC ACTION: Motion approved _____ Other action _____
Motion denied _____ Date 9/9/2010

CERTIFICATE

I, the undersigned Chairman of the ORDC, hereby certify that the foregoing is a true and correct record of the resolution of said ORDC.

_____ 9/9/2010
James G. Bradley, Chairman Date

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EXHIBIT A

Exhibit A of Resolutions 08–08, 08-24 and 09-14 shall be supplemented in their entirety with the following terms and conditions:

The City may use up to $24,933 in funds remaining from the Richland Tunnel portal repair project for brush cutting and derailment repairs to facilitate and augment a federal American Recovery and Reinvestment Act (ARRA) stimulus project which the ORDC is administering on the City's Jackson Rail Line.

The City must meet all standard ORDC program requirements, including any applicable prevailing wage provisions, in expending the above-referenced ORDC Grant monies.

APPROVED PROJECT BRIEFING:
INTERNATIONAL TECHNICAL COATINGS (ITC) RAIL SPUR, COLUMBUS

September 1, 2010

Project Costs		Project Benefits
*NS Switch	$128,000	* 120 to 200 New Jobs
*On Site Track	$122,000	* 300 to 600 New Carloads/Yr.
		* Redevelops Existing Inner City Building

INTRODUCTION: Through a July 23, 2010 letter, ORDC's Executive Director committed to provide International Technical Coatings, Inc. (ITC) a grant of $125,000 to help defray the costs of a new Norfolk Southern Railroad (NS) turnout and/or a short spur track into the building ITC is acquiring in return for ITC creating 120 new jobs, investing about $14 million in the new ITC facility, and generating 300 carloads a year within three years of rail project completion.

BACKGROUND:

ITC: ITC was established in Arizona in 1993. It is one of the top two manufacturers of wire mesh shelving in the US with a 25 to 30% market share. It supplies companies such as Wal-Mart, Home Depot, Lowes, and Costco with shelving used to display items in their stores. ITC also produces a variety of other wire, wire mesh, and fence products. In addition to a 200,000 sq. ft. manufacturing facility in Phoenix, ITC also has distribution facilities in Phoenix and Dayton, Ohio. Because its Phoenix plant is at capacity, and because ITC looks to possibly expand its market share in the $6 billion/yr. fencing market, ITC investigated establishing a new plant in Kentucky or Ohio. It has chosen to expand in Columbus at the 600,000 sq. ft. former Techneglas complex on the south side which is now called "TechSouth". ITC will invest $12 million in machinery & equipment, $1 million in building improvements (the building had already been improved with a $5 million Job Ready Site grant from the Ohio Department of Development (ODOD)), and $3.4 million in various infrastructure improvements. After Columbus operations are established, ITC will spend $2.5 million to purchase the TechSouth building. ITC commits to create 120 new jobs but expects that up to 200 new jobs could ultimately result if market conditions are favorable.

Rail Needs: The TechSouth building is served by NS on a 4,700 ft. lead track. (Please see aerial photo included as Exhibit "A".) This lead track has been out of service for a long period of time and needs to be rebuilt. In addition, a new turnout from the NS lead track to a spur serving the ITC building must be installed, and the rail spur into the building must be built. NS has agreed to rebuild the lead track at the estimated cost of $476,000 in return for ITC making a take or pay commitments to generate a specified number of rail cars over several years. The rail carloads would primarily consist of inbound wire and coating materials.

RAIL PROJECT: NS has set a fixed price of $128,000 to build the new turnout on the existing lead track. In addition, initial estimates are that it will cost approximately $122,000 to build a short spur from the NS lead track into the ITC building. ORDC's grant could go to either or both components of the project. NS will own and maintain the new switch. ITC will own and maintain the new spur track into its building.

WHY ORDC FUNDING IS NEEDED: Ohio was competing with a site in Kentucky that has all utilities, including a rail spur inside the building. The Columbus site has rail and electric costs that the Kentucky site did not. ORDC funding, and the NS agreement to repair its lead track based on a take or pay agreement, helped make the Columbus site competitive with the Kentucky site.

PROJECT BENEFITS:

- 120 new jobs within 3 years of start up; potential for 200 jobs or more long term.
- Redevelopment of an existing, inner city building.
- At least 300 carloads of freight a year generated by the new plant within 3 years of start up with an upside potential of 600 carloads a year.

OTHER CONTRIBUTIONS:

- Ohio Department of Development (ODOD) Rapid Outreach grant of $200,000, State Workforce grant of $50,000 & State Job Creation Tax Credit valued at $270,000.
- City of Columbus Job Creation Tax Credit valued at $273,000 & City Job Growth Incentive of $83,000.
- AEP grant to defray electric infrastructure costs of $400,000.

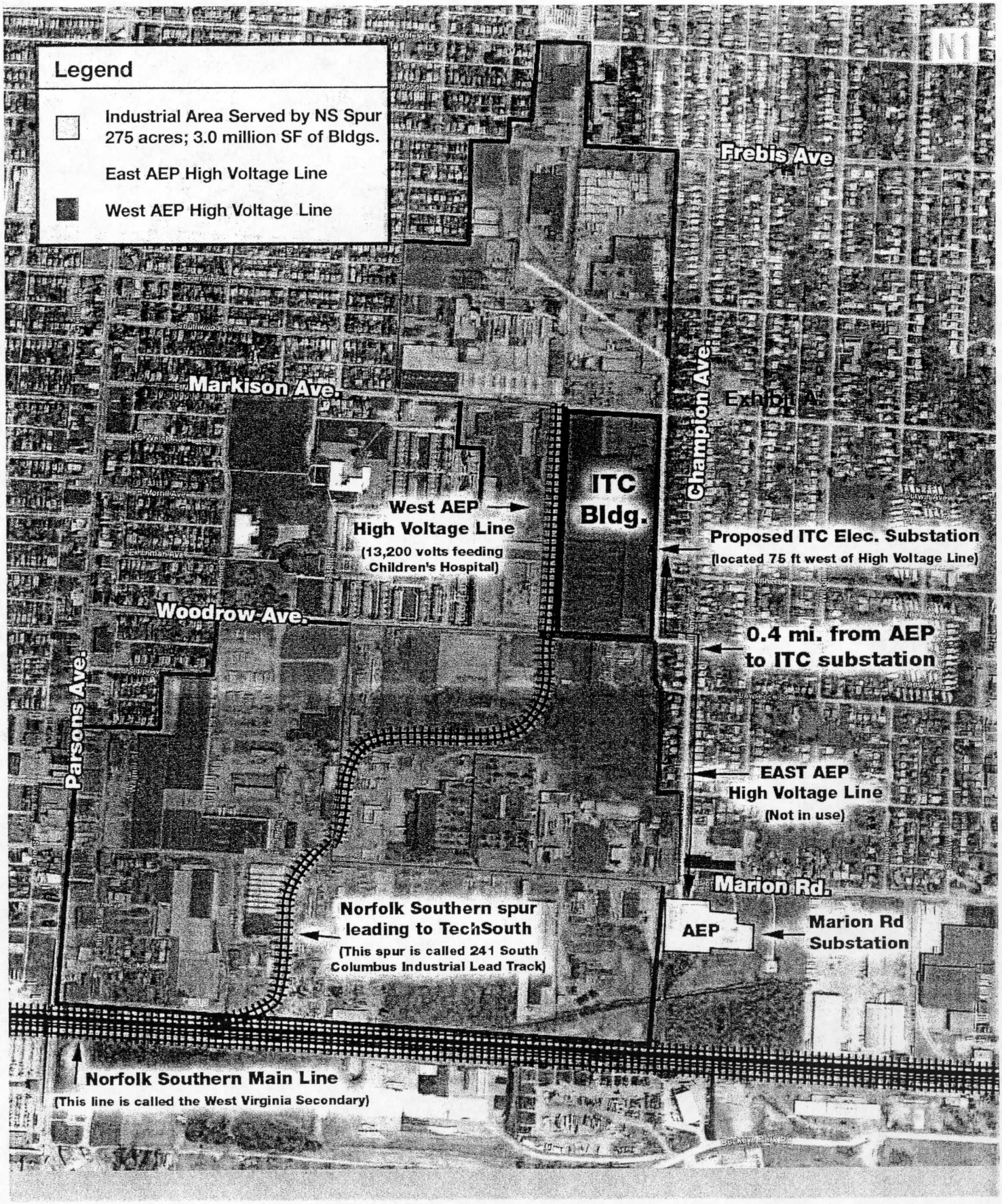
SPECIAL CONTINGENCIES: The job creation and carload generation numbers that will be used in the ORDC – ITC grant agreement are 120 jobs created and 300 carloads a year generated within three years of project completion. In addition, ORDC funding for rail will not be released until all other contributions from ODOD and the City are formalized.

w: ITCSpur,Columbus,Briefing

"A"

Exhibit A-1:

AEP and Norfolk Southern Connections to TechSouth



Ohio Rail Development Commission

1980 West Broad Street • Columbus, Ohio 43223
614-644-0306 (telephone) • 614-728-4520 (fax) www.dot.state.oh.us/ohiorail

September 9, 2010

Pursuant to Ohio Rail Development Commission Resolution 99-15 "Spending and Signatory Guidelines," the undersigned hereby approves of the project described in the Approved Project Briefing entitled **INTERNATIONAL TECHNICAL COATINGS (ITC)** and dated September 1, 2010 as described in that briefing.

Matthew R. Dietrich
Executive Director

James G. Bradley
Chairman

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JOBS AND CARLOADS PLEDGED REPORT

	Grantee	Grant/ Loan Amount	Project Completion Date	Monitoring Period	Jobs Pledged	Carloads Pledged	Jobs 2009	Carloads 2009	ORDC Staff Comment / Recommendation
1	McDermott Industries P.O. Box 307 McDermott, OH 45652 Vera & Carl Pertuset (740-259-9909)	$25,000 (G)	5/11/2004	2004 - 2007	C-19 R-6	100	**0**	**24**	Extend monitoring period 3 years. Continue to monitor.
2	Art Iron, Inc. 860 Curtis Street Toledo, OH 43620 Paul Ravis	$75,000 (G)	6/10/2005	2005-2008	C-10 R-110	100			Certified to AG for collection
3	Wellsville Intermodal Industrial Park (Columbiana County Port Authority) 1250 St. George Street East Liverpool, OH 43920 Tracy Drake (330-386-9051)	$717,000 (G)	6/3/2005	2005 - 2008	C-140	975	**22**	**12**	Extend monitoring period 3 years. Continue to monitor.
4	Whirlpool Corporation **(Clyde, OH facility)** 150 Hilltop Road St. Joseph , MI 49085 Gregg Schweir (269-923-5708)	$75,000 (G)	8/31/2009	2009-2012		280	**3,000**	**120**	
5	Aurora Plastics, Inc. 9280 Jefferson Street Streetsboro, OH 44241 Anthony Lamorte (330-626-6424)	$25,000 (G)	11/30/2006	2006-2009	C-22 R-20	300	**41**	**357**	Goals substantially met. Staff recommends compliance
6	City of Lima 50 Town Square Lima, OH 45801-4900 Mayor Berger (419-228-5462)	$200,000 (G)	12/10/2007	2007-2010	C-41	2,500	**0**	**0**	

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	Grantee	Grant/ Loan Amount	Project Completion Date	Monitoring Period	Jobs Pledged	Carloads Pledged	Jobs 2009	Carloads 2009	ORDC Staff Comment / Recommendation
7	Altra Biofuels (was Coshocton Ethanol) 18137 County Road 271 Coshocton, OH 43812 Mark Kuzelka (310-348-7245)	$250,000 (G)	9/21/2007	2007-2010	C-41	2,500	**6**	**1**	
8	City of Greenville 100 Public Square Greenville, OH 45331 Nancy Myers (937-548-4435)	$137,000 (G)	1/31/2008	2008 - 2011	C-35	1,250	**48**	**2,252**	Goals have been met
9	Crane Plastics Company 2141 Fairwood Avenue Columbus, OH 43207 Paul Demboski	$80,000 (G)	7/9/2007	2007-2010	C-30 R-100	125			Reimbursement received 8/9/10
10	Southgate Company 1499 West Main Street Newark, OH 43055 Frank Rosato (740-522-2500)	$30,000 (G)	12/20/2006	2006-2009	C-48 R-54	250	**82**	**105**	Extend monitoring period 3 years. Continue to monitor.
11	Village of Leipsic 142 East Main Street Leipsic, OH 45856 Kevin Lammon (419-943-2009)	$100,000 (G) $825,000 (L)	12/4/2008	2008 - 2011	C-42	1,250	**43**	**1,358**	Goals have been met
12	Lancaster Port Authority 104 East Main Street Lancaster, OH 43130 R. Michael Pettit (740-687-6670 #10)	$90,000 (G) $145,163 (L)	12/8/2008	2008 - 2011	C-110	200	**96**	**72**	
13	Case Farms, Ohio Division, P O Box 185, Winesburg, OH 44690 Chuck McDaniel (330-359-7030)	$255,000 (G)	2/24/2009	2009-2012	C-200	350	**122**	**260**	
14	Hydrodec North American LLC 2021 Steinway Blvd. SE Canton, OH 44707 Brian Klink (330-454-8202)	$75,000 (G)	1/12/2010	2010-2013	C-65	200	**26**	**102**	

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	Grantee	Grant/ Loan Amount	Project Completion Date	Monitoring Period	Jobs Pledged	Carloads Pledged	Jobs 2009	Carloads 2009	ORDC Staff Comment / Recommendation
15	City of Trotwood, 3035 Olive Rd., Trotwood, OH 45426	200000 (G)	3/11/2009	2009-2012	C-200	200	**208**	**0**	
	Rhonda Finley (937-854-7214)								

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	McDermott Indust (3 yrs)		Art Iron, Inc. (3 yrs)		Wellsville Intermodal (3 yrs)		Whirlpool Corp. (3 yrs)	
	Jobs	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**
Committed	***25***	***100***	***120***	***100***	***140***	***975***		***280***
2004	15	0	132	17				
2005	13	0	139	19	45	0		
2006	14	0	139	0	45	100		
2007	19	0	140	0	45	103	105	0
2008	5	16	Requested Reimbursement		17	290	1,500	10
2009	0	24			22	12	3,000	120

	Aurora Plastics		City of Lima		Altra Biofuels (was Coshocton Ethanol)		City of Greenville	
	Jobs	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**
Committed	***42***	***300***	***41***	***2,500***	***41***	***2,500***	***35***	***1,250***
2005								
2006								
2007								
2008	31	407	0	0	87	1,845	47	2,024
2009	41	357	0	0	6	1	48	2,252

	Crane Plastics		Southgate Company		Village of Leipsic		Lancaster Port Authority	
	Jobs	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**
Committed	***130***	***125***	***102***	***250***	***42***	***1,250***	***110***	***200***
2008	8	0	112	120	43	1,296	38	66
2009			82	105	43	1,358	96	72

	Case Farms, Ohio Division		Hydrodec North American LLC		City of Trotwood			
	Jobs	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**
Committed	***200***	***350***	***65***	***200***	***200***	***200***		
2009	122	260	26	102	208	0		

	Jobs	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**
Committed								
2009								

	Jobs	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**	**Jobs**	**Cars**
Committed								
2009								

Ohio Rail Development Commission

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July 20, 2010

Mayor David Berger
City of Lima
50 Town Square
Lima, Ohio 45801

Dear Mayor Berger:

The Ohio Rail Development Commission (ORDC) was very pleased to hear that the former Greater Ohio Ethanol plant in Lima will be rehabilitated and reopened by PEA Lima LLC. I am writing to commit to the City that ORDC will amend its grant agreement with the City to revise the City's job and carload creation requirements. While I do not expect that there will be any objections from ORDC Commissioners to the revisions, I will need to obtain their formal approval of my commitment to you at the next ORDC Commission meeting on September 9, 2010.

The current ORDC – City grant agreement requires that the City ensure that 41 new jobs be created, and 2,500 rail carloads of freight a year be generated, within 3 years of the completion of the rail project, in this case the completion of the rail spur the City now owns. ORDC will revise this requirement to fit the projections of the new owners of the ethanol plant. ORDC will enter into an agreement with the City of Lima whereby the City must ensure that 31 new jobs are created, and 1,000 rail carloads of freight are generated, within 3 years of the completion of the project, in the amended case, from the date the PEA Lima LLC ethanol plant is producing and selling ethanol. The other terms and conditions regarding the potential ORDC "clawback" for all or part of the $200,000 in grant funding will remain unchanged.

ORDC will be working on the new contract language. ORDC plans to have an amended ORDC – City of Lima document ready to sign as soon as possible after our September 9, 2010 Commission meeting. Please continue working with Lou Jannazo of my staff (614-644-0309) on any issues you may have about the changes to the Lima project.

Congratulations on the renewal of the ethanol plant.

Sincerely,

Matthew R. Dietrich
Executive Director

w:LimaJobs&CarloadChanges

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RESOLUTION 10-11

RE: City of Lima Greater Ohio Ethanol Off Site Lead Track and Passing Siding Construction Grant (Amendment to Resolution 05-08)

A RESOLUTION MODIFYING THE TERMS OF ASSISTANCE TO CITY OF LIMA UNDER CHAPTER 4981 OF THE OHIO REVISED CODE.

WHEREAS, this Commission as the Ohio Rail Development Commission ("ORDC") created by Chapter 4981 of the Ohio Revised Code, has the responsibility of reviewing and making recommendations to ORDC staff with respect to the assistance under Chapter 4981 of the Ohio Revised Code (the "Act") proposed to be provided; and

WHEREAS, the ORDC has under consideration the modification of the provision of assistance under the Act to the City of Lima (the "City"); and

WHEREAS, the ORDC staff has submitted to this ORDC a modification to a prior request for assistance submitted by the City; the determination of the Executive Director of the ORDC and the facts upon which such determination is based, that the modification to the proposed assistance will conform to the requirements of the Act and the terms of the modification of the proposed assistance; and

WHEREAS, the ORDC has reviewed such proposed modifications and discussed them with the Executive Director and staff of the ORDC; and

WHEREAS, on the basis of such review and discussions, the ORDC has determined that the provision of assistance to the City, as set forth in the ORDC staff's submissions, is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the ORDC of the State of Ohio:

Section 1. That the ORDC determines that the modification to the assistance proposed to be provided under the Act to assist the City with the Rail Service Project (as defined below) is appropriate.

Section 2. That the ORDC approves the proposed modification of assistance to the City, the nature, amount and terms of which are summarized in Exhibit "A" attached hereto.

Section 3. That the ORDC hereby amends Resolution 05-08 as set forth in Exhibit A.

Moved By _____
Seconded By _____

Upon roll call, the vote resulted as follows:

James G. Bradley, Chairman	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Barbara Hammontree Bennett	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Robert Greenlese	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Solomon Jackson	____	yes	_____	no	_____	absent	_____	abstained	____	recused
William Lozier	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Thomas McOwen	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Jolene M. Molitoris	____	yes	_____	no	_____	absent	_____	abstained	____	recused
William Murdock for Lisa Patt-McDaniel	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Larry Sowers	____	yes	_____	no	_____	absent	_____	abstained	____	recused
Herk Wolfe	____	yes	_____	no	_____	absent	_____	abstained	____	recused

ORDC ACTION: Motion approved _____
Motion denied _____

Other action _____
Date 9/9/2010

CERTIFICATE

I, the undersigned Chairman of the ORDC, hereby certify that the foregoing is a true and correct record of the resolution of said ORDC.

_____
James G. Bradley, Chairman

9/9/2010
Date

EXHIBIT A

The modifications to the Request for Assistance are as follows:

1. Condition #4 of Resolution 05-08 is revised to read that the City shall guarantee that the successor to Greater Ohio Ethanol (PEA Lima LLC) will create thirty one (31) new jobs and generate at least one thousand (1,000) rail cars of traffic per year within three years of the date that PEA Lima LLC first manufactures and sells ethanol, or the City shall repay the ORDC Grant in an amount to be determined by ORDC staff.

2. All other terms, covenants and conditions specified in Resolution 05-08 shall remain in full force and effect.